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The State of Alabama
Montgomery November 14. 1864

This being the Second Monday in November, eighteen hundred and Sixty-four, the day fixed by law for the Meeting of the General Assembly of the State of Alabama, at 12 M. Mr Speaker Crenshaw called the House of Representatives to order when on a Call of the Roll, the following Members answered to their names:

Messrs, Speaker, Armstrong, Bettis, Bishop, Chamberlain, Charlton, Coleman, Cooper, Dawson, McClellan, Gilbert, Dent, Frazier, Gardner, Grimes, Hamond, May, Maddox, John Moore, McCain, McInnis, Ogden, Pickett, Conway, Parish, Vaughan, Vincent and Williams — ~~26~~ 27

Then not being a Quorum,

On Motion of Mr Frazier,

House adjourned till 12 M. to-morrow.

House of Representatives
Tuesday November 15. 1864

House Met pursuant to adjournment

Upon a Call of the Roll, the following Members answered to their names:

Messrs. Speaker, Armstrong, G. W. Ashe, Ashurst, Bell, Berry, Bethea, Bishop, Chambers, Charlton, Coleman, Cooper, Cumming, J. W. Davis, Dawson, Dent, Ellis, Foster, Gafford, Gardner, Gibson, Graves, Howard, Keenan, Kilpatrick, Lawler, Leper, Manasco, May, Merrick, Modawell, John Moore, Moulton, McCain, McInnis, McLellan, Nisbet, Ogbourne, Parish, C. A. Parker, Robinson, Saugaard, Vincent & Williams—43.

Mr Cooper moved to adjourn till 4 O'Clock, to-morrow evening which Motion was lost.

Mr C. A. Parker moved to adjourn till 4 O'Clock this evening.

Mr Cooper moved to adjourn till 10 O'Clock, to-morrow Morning which Motion was lost and the question recurred on Mr Parkers Motion which was Carried, and

House adjourned till 4 P. M.

Afternoon Sesion

House Met pursuant to adjournment.

Upon a Call of the Roll, the following Members answered to their names:

Messrs. Speaker, Armstrong, G. W. Ashe, Ashurst, Bell, Berry, Bethea, Bishop, Brooks, Chambers, Charlton, Coleman, Cooper, Cumming, J. W. Davis, Dawson, Dent, Ellis, Foster, Gafford, Gardner, Gibson, Graves, Head, Howard, Jones, Keenan, Kilpatrick, Lawler, Leper, Manasco, May, Merrick, Modawell, John Moore, Moulton, McCain, McInnis, McLellan, Nisbet, Ogbourne, Parish, C. A. Parker, Robinson, Saugaard, Vincent and Williams, Wolff.—49.

Mr Dawson Moved to adjourn till 10 O'Clock, to-morrow Morning.

Mr Graves Moved to adjourn till 10 O'Clock Thursday Morning which Motion was lost and the question recurred On the Motion of Mr Dawson which was Carried and,

House adjourned till 10 O'Clock, to-morrow Morning.

House of Representatives
Wednesday November 16. 1864

House Met pursuant to adjournment.

Upon a Call of the Roll, the following Members answered to their names;

Messrs Speaker, Armstrong, G. W. Ashe, Ashurst, Bell, Berrien, Bettis, Bishop, Brooks, Chambers, Charlton, Coleman, Cooper, Crenshaw, J. W. Davis, Dawson, Dent, Ellis, Foster, Gryffand, Gardner, Gibson, Head, Howard, Jones, Keenan, Kilpatrick, Lawler, Leeper, Manasco, May, Morrick, Mitchell, Mordecai, John Moore, Moulton, McCabe, McInnis, Nisbet, Parish, C. A. Parker, Sibley, Vanzandt, Vincent, Williams and Wolff—45—

On Motion of Mr Chambers,

House adjourned till 10 O'Clock to-morrow Morning.

House of Representatives
Thursday November 17. 1864

House met pursuant to adjournment

Upon the Call of the Roll, the following Members answered to their Names,

Messrs Speaker, Atkinson, Bell, Berrien, Bettin, Bishop, Bradley, Brandon, Brooks, Bryan, Chamber, Charlton, Clarke, Coleman, Cooper, Cumming, J. W. Davis, M. L. Davis, Dawson, Dick, Ellis, Foster, Gardner, Graves, Head, Hollis, Jones, Keenan, Kilpatrick, Leeper, Lewis, Ligon, Manasco, Merrick, Medaniell, John Moore, Morrow, Moulton, McCabe, McInnis, McLellan, Nisbet, Ogbourne, Parish, C. A. Parker, Parsons, Robinson, Sims, Sibley, Styles, Trazevant, Vincent, White, Williams and Wolff—55.

Mr Graves offered the following Resolutions which were adopted:

Resolved

That the Senate be informed that a Quorum of the House of Representatives has assembled and that the House is now ready to proceed to business.

2nd—That a Committee of three be appointed from the House to act with a like Committee on the part of the Senate to wait on the Governor and inform him that the Two Houses of the General Assembly having Convened in Regular Session, are now ready to receive any Communication he may have to lay before them.

Messrs Graves, Chambers and Dawson were appointed Said Committee on the part of the House.

Message from the Senate by Mr McTarl Secretary.

Senate—Nov 17, 1864

Mr Speaker,

The Senate has adopted the following Resolutions:

Resolved,

That the House be informed that a Quorum of the Senate is present and the Senate is ready to proceed to business.

Resolved,

That a Committee of three be appointed by the President to act with a like Committee on the part of the House, to inform the Governor that the Two Houses are ready to proceed to business and receive any Communication he may have to make.

Messrs Rice of Montgomery, Crim and Moore are the Senate Committee.

Mr Medaniell offered the following Resolution which was adopted:

Resolved, That the Standing Committees of last Session be continued with such Changes as the Speaker may deem advisable—

Mr C. A. Parker offered the following Resolution which was adopted

Resolved.

That Editors and Reporters of Newspapers be allowed Seats within the Bar of the House.

Mr Betten offered the following Resolution which was adopted.

Resolved.

That with the Consent of the Senate, the two Houses appoint a Committee of two from each House with power to Send for persons and papers, to examine into all the Acts and doings of the Quarter Master General, Since the last Annual Session, and also what Changes if any are necessary to be made, and Report the result of Such examination to their respective Houses, and if any Changes are necessary to Report a bill for the Same.

Messrs Betten and Mayer were appointed the House Committee

Message from the Governor by his Private Secty. J. H. Jackson jr. being his Annual Message to the General Assembly.

Governor's Message

To the General Assembly of the State of Alabama:

I greet you on assembling in Regular Annual Session, with the hope that your Session May be harmonious; that your deliberations May be guided by wisdom, and that your action May redound to the welfare and glory of the State.

In discharging the duty enjoined by the Constitution, on the present occasion, it affords me pleasure to Say that the State has been blessed during the present year, with abundant Crops, and that our people, generally, have cause to rejoice and be thankful that the Giver of all good Still graciously Smiles upon us.

Since your last Annual Session, events of the ordinary character have Marked the progress of our history. The war between the United States and the Confederate States has been attended with the usual accompaniments of Such a Struggle. While we are called to Mourn the death of Many of Alabama's Noblest Sons on the field of Strife, we have the Consolation to know that Alabama's Name and Fame have not been tarnished in a Single battle. In this effort to establish on a firm basis the right of Self-government, Alabama has put Cause to the proud of the bright record her gallant Soldiers have Made in the Nation's Annals.

Let us pray God that he will incline the hearts of our enemies to Contemplate the ways of peace—that they may See the folly and wickedness of their vain attempts to deprive us of our liberties, and that they May know that, not one bit they resolve to let us alone. Can they or we hope to have the blessings of peace restored to our beloved Land.

Early in December last, Shortly after entering upon the duties of my office, I discovered that to Meet the large appropriations of Money Made a Few

last Annual Session, it would be necessary to sell lands of the State or issue State Treasury Notes. The Act of the 9th of December, 1862, revived by the Act of the 8th of December, 1863, gave to the Governor discretion to issue either, or both, to supply any deficiency which might exist in the Treasury.

Not knowing at what price the lands of the State could be sold, and whether such price payable in Confederate Treasury Notes, it would be advisable to accept, I deemed it prudent to prepare for the issue of both, lands and Treasury Notes. After events proved the wisdom of such preparation. On the ——day of December, 1863, invitation for bids to be opened on the 21st of January, 1864, for Six per Cent. bonds, under the acts above named, was advertised in the leading Newspapers of this and other States. The bids were opened on the day designated in the advertisement, but the highest premium offered was so small that I thought it wise to reject all the bids, according to the privilege reserved in the invitation for bids, I immediately advertised for other bids to be opened on the 22nd of February, 1864, Under this offer, I accepted bids amounting to One hundred and Seventy one thousand dollars. Information as to the premium will be furnished to the Finance Committee of the two Houses.

On the 17th day of February, 1864 Congress passed the Financial Act, by which a tax of one third was levied on all the Confederate Treasury Notes issued before the passage of the Act not funded by the terms named in the Act. The State was authorized to fund in Six per Cent. Confederate bonds all of the old issue held by them on the first of April and July. The Revenue of the State was pledged, almost exclusively in these Confederate Treasury Notes. The laws of the State authorized this to be done. When received into the Treasury, these Confederate Treasury Notes could not be paid out to meet appropriations, except at two thirds their Nominal value. The Treasurer had no legal right to pay them out at such discount, thus losing to the State one third.

After the passage of this law of Congress, I had many offers for State Bonds, between the 17th of February and the first of April. I could have disposed of any quantity of State Bonds, at one hundred per Cent. premium, payable in Confederate Treasury Notes of the old issue. I did not think it good policy to do so. Had it been done the Treasury could have been filled with Confederate paper which could not be used except to the benefit under the Act of Congress; the bonded debt of the State would have been largely increased, and both the State, in order to meet the heavy demands on the Treasury, would have had to issue its own Treasury Notes.

The State's Treasury Notes were issued to the extent shown in the Report of the Treasurer, and thus the State was enabled to meet the demands on the Treasury. The State pays no interest on these Treasury Notes. They are receivable in payment of all public dues and County taxes, and will soon be absorbed by taxation.

The preceding language of the Statute authorizing the issue of these Treasury Notes, your Excellency will observe, They are redeemable at the option of the State either in Treasury Notes of the Confederate States or in Coupon bonds of the State bearing a rate of interest not to exceed six per Cent. per Annum. It will be seen from the language that the holders of these Treasury Notes cannot know with certainty in what they will be paid until the State exercises the "option" which is to govern. This "option" Neither the Treasurer nor the Governor can do but for neither is the State. The Legislature is the organ of the State and its laws, under this law, can express the option of the State or authorize some officer to do so.

This uncertainty in the law, no doubt, affects injuriously the Sale of Bonds. In this connection it will not be inappropriate to invite your attention to the language used at the recent extra Session, authorizing the sale of Bonds. The interest on these Bonds "until the expiration of twelve months after the ratification of a treaty of peace between the Confederate States and the United States is payable annually," in Confederate State Treasury Notes or Coupon bonds at the option of the State." It is obvious under this language, that no interest can be paid until the State determines this "option". Additional legislation is therefore required. I am satisfied that the indefiniteness of the law of paying the interest effects injuriously the

Market value of the bonds, I recommend that the precise mode of payment shall be determined before it becomes necessary to issue any New bonds.

Under the Act of the 7th day of October, 1864. I advertised for bids for bonds. The bids were opened on the 7th day of this Month, and the Amount of accepted bids was four hundred thousand dollars. The Amount of premium paid will be made known to the Committees upon finance of the two Houses.

I invite your attention to the Reports of the Comptroller and Treasurer. They will give you full information as to the present financial condition of the State and the transactions of the past fiscal year. It will be seen from these reports, that at the commencement of the war, which has now been waged for near four years, the bonded debt of the State amounted to about three and a half Millions of dollars, and the domestic debt, Common Schools and University fund, Amounted to a fraction over two Millions. The necessities of Your Condition have, during this time, required large appropriations of Money, for the Military defence of the State and for the support of the families of our brave Soldiers. The necessity for large expenditures will Continue until the war Shall Cease. In the meantime, our bonded debt has largely increased. The aggregate bonded debt now Amounts within a fraction of Nine Millions of dollars. Besides this, the outstanding State Treasury notes Amount to Seven Millions. It is thus seen that the State's liabilities are being largely increased. The ratio of taxation has not been Materially increased during the progress of the war. During the fiscal year, the appropriations made by the General Assembly for the support of Soldiers families have Amounted to five Millions of dollars. Besides these, other Necessary appropriations have been Made. How these appropriations have been Met, has been explained in another portion of this Message. The rapid increase of our Indebtedness ought, and will doubtless, arrest your attention and enlist your Serious Consideration. The Amount of Revenue derived from taxation during the last fiscal year, was $1,762,630. The estimated Amount for the present year is two Millions only. Now it seems to me, that our present taking has not been wise. The State should not permit her debt to be increased each Year. There are but two modes in which this Can be prevented. Either less money Must be appropriated — the expenses of the State Must be kept down — or the Revenue in some way, Must be increased. Doubtless Your wisdom will suggest and adopt Measures for Changing the expenditures hereafter if Can be done Consistently with the public Safety and Consistently with the high obligation due to our Soldiers and their families. The large Part of the expenditures are not here, perhaps, Immediately, and will be Continue Until our enemies Shall Cease to Make war upon us. But the power to increase the Revenue is within Your hands. There never will be a More favorable time for increasing our Revenue. The inflated Condition of the Currency has doubled the prices of all Articles of production, the Amount of Circulating Medium has been, is and is likely to Continue little abridged. The burden of State taxation has been Comparatively light. It is easier now to pay ten dollars tax than it was to pay one in time of peace. The State Should pursue the Course of a prudent individual. She Should avoid Debt and increasing indebtedness. The Means are at hand; increase the taxation if it is easy to pay them. Our Early State Government has collected during the first year Over four thousand dollars by taxation. If Georgia has been able to pay such Sums with Security & Promptness, Annual Assessments, equally proportioned and Justified, pay a larger Sum than two Millions of dollars into our Treasury? Especially when our appropriations are so large? I think that any Consideration of Policy and Patriotism require the ratio of taxation to be increased. To what extent this Shall be done, taking into Consideration the burdens imposed by the Confederate Government, is Submitted to Your wisdom. I have no doubt You will give the Suggestion a Calm and deliberate investigation and adopt Such Measures as reason and good Policy will dictate.

In this Connection, it will not be inappropriate to direct your attention to the Uncollected debts of the State Bank and Branches. According to the last Report

Made by the Commissioner and the Attorneys having them in Charge a large outstanding balance yet Remains Uncollected and undisposed of. It seems to me that this is an appropriate time to Collect all which Can be Collected, and to dispose in some Speedy Mode, of the balance of these assets. Apart from the duty of the Collection and final disposition of these assets, there is little necessity for the Continuance of the office of Trustee and Commissioner. The duty of paying the interest of the foreign debt might well be trusted with Comptroller or Treasurer of the State.

I respectfully invite Your attention to the Quarter Master General's Report, herewith Submitted, and to the Suggestions and recommendations therein contained. The duties of that office were largely increased at the last Annual Session of the Legislature. The Amount of Salt which has been Made, purchased and distributed is shown therein. Many Contracts for the Making of Salt on the Coast of Florida and Alabama at a Comparatively Cheap rate, were Made in the early part of the Year. But little however, has been realized from these Contracts. Many of the Contractors have been, in good faith, attempting to Comply with their obligations. They have been frequently interrupted by predatory incursions of the enemy and in Many instances their property has been Stolen or destroyed. I have been endeavoring to have proper Military protection given to these Salt Makers on the Coast of Florida. Just before the last attack on the Harbor of Mobile in August last, I had prepared a Company of Gentlemen Commanded by a Competent officer, and had the promise of one Artillery Company from the Confederate Authorities. But the threatened attack on the forts at Mobile prevented the Authorities from furnishing the promised Artillery Company and Changed the destination of the other Company to the defence of Mobile. Under the present Military law, it is impossible for the State to furnish protection to Salt Makers outside the limits of the State. The necessity for a larger Amount of Salt than Can be produced on the Salines belonging to the State Calls for protection to those of our Citizens who are willing to incur the risk of Making it on the Gulf Coast. I invite Your Consideration of this Matter.

The Quarter Master General's report will also inform you what Amount of Cotton Cards have been imported through the blockaded ports and the Number of pairs received from other Sources. Soon after my initiation into office, I made Contracts for the importation of More than thirty thousand pairs of Cotton and Wool Cards. From only one of these Contracts, have any been received. The increasing Closeness of the blockade has prevented a larger Supply in this way. It is but just to Messrs Lehmen & Bratton of the City of Montgomery, to Say that through them all the Cotton and Wool Cards imported have Come. They very generously agreed (and are still performing their Contract) to furnish the State _____ thousand pairs at the actual Cost in Confederate Treasury Notes, Charging nothing for their trouble. They deserve the thanks of the people of the State.

I have thought proper to dispose the Co partnership between the State and J. M. Keese of Selma in the Manufacture of Cotton Cards. The Report of Mr J. B. Taylor, who was deputed to Make the Settlement, a Copy of which is herewith Sent, will furnish information on this Subject. On the 22nd day of January, 1864, I made a Contract with Mr J. C. Kains of the City of Montgomery for the Manufacture of Cotton and Wool Cards. A Copy of this Contract is herewith furnished. The work under it is progressing with fourth results. If you should deem it necessary, I respectfully ask Your Sanction of this Contract.

In the Month of July in the discharge of my duty as ex-officio President of the Board of Trustees of the University of Alabama, I visited that Institution and was present at the Commencement. I but express the opinion of all who are acquainted with its operations, when I declare that the Institution is an honor to the State. The efficiency of the officers of the University was fully manifested in the examination which preceded the Commencement. The Skill acquired by the Corps of Cadets, their Manly bearing and attention to duty, excited general admiration. During the last Summer, the

Corps of Cadets were ordered to the field for Service. For two Months, from the 26th day of July to the 27th day of September, they were in the Service. They discharged all the Services required of them to the entire Satisfaction of the Military authorities under which they were placed. About Sixty of the Cadets, while on their way home from the University on the 18th of July, participated in a battle fought with Koupeau's Raiders. The Steady Courage, Skill and gallantry displayed by the Youths on this occasion, showed the wisdom of providing for a Military education at the University. I Commend this Institution to the favor of the General Assembly and that of the whole people of Alabama.

While at the University I visited the Hospital for the Insane. I found the buildings admirably adapted for the purposes designed. The Management of the institution under the Control of Dr. P. Boyce is all that Could be desired and reflects the highest Credit on his Skill and eminent ability. I herewith Send a Copy of the Report of the Superintendent and of the trustees of that institution and respectfully ask your attention to the facts Stated and the recommendations Made.

The inflation of the Currency has So increased the expenses of living and the Cost of Materials and Labor of printing that I invite your attention to the inadequate price paid to the Public Printers for the work their Contracts require to be done, and recommend an increase. The Same remarks May be made as to the Compensation of the Quarter Master General. The Amount of Salary paid him will not furnish him board at any ordinary hotel. The great increase of his duties at the last Annual Session of the General Assembly, and the great responsibilities resting on him, would justify a Much larger Compensation for Services Such as he renders.

The inflation of the Currency has So changed the relative value of things, that a necessity arises of increasing the Amount of fines imposed for Crimes and Misdemeanors. The fines may be fixed, by the law, in Confederate Treasury Notes. Under this Condition of things, the fines are but little more than nominal.

The Report of the Warden and Inspectors of the Penitentiary is herewith Submitted and Your attention invited to it.

Since your last Annual Session, Forts Morgan and Gaines within the State of Alabama, have fallen into the hands of the enemy and the City of Mobile has been Seriously threatened. The port of Mobile has thus been, for the present, perhaps, effectually Closed. The enemy Still hold possession of portions of North Alabama. It has not been in my power, to drive the enemy from our borders with the forces at my Command. I have witnessed with much regret, the Suffering of our people in that Section of the State and grieved that it was out of my power to relieve them. It affords me pleasure to Say, according to the best information I have that the large Mass of our Citizens in North Alabama, notwithstanding the trying perils and oppressions to which they have been Subjected by a Cruel and barbarous foe, have remained Steadfast in their faith to our Cause. Some have forgotten their duty to the State and have given their adherence to our enemy. In Some of the Counties in that Section of the State, Tories instigated by the enemy, and wicked men incited by the love of plunder, have banded together and have Committed Many depredations on persons and property. I have endeavored to prevent these impieties by encouraging the formation of Volunteer Companies for the protection of our people in the Counties bordering them in possession of the enemy: But the want of all power to organize the first Class Militia in the first, Second and third Congressional districts, has been a great obstacle to any adequate protection. No authority is given by law to furnish Arms and Ammunition to Unorganized bodies. There is no authority in the law for Receiving Volunteer Companies with a less number of privates than Sixty-four. I have not been idle in urging on the Confederate Authorities the importance of Sending adequate forces to North Alabama. I trust that the recent Movement of the Army of Tennessee will overthrow the invading North Alabama and free the oppression to which it has been So long Subjected.

In reference to the Military defence of the State, I respectfully

ask your attention to the Message I had the honor to Send you at the recent extra Session. The recommendations therein contained, I have Seen no cause to Change, and I trust you will give them your deliberate Consideration. The Governor has but little power, indeed given him by the Legislature. I Seek to exercise what I Conceive to be for the public good. I would avoid, as much as possible, the exercise of discretionary power. Discretionary power, at best, is Subject to abuses in the hands of a bad man, it becomes a tyranny.

To exempt from Second Class Militia duty, by Legislative action, Men who have given bonds to the Confederate Government and have thus become exempt from Confederate Military Service, would deprive the State of her most efficient Militia forces. It would be a discrimination in favor of Slaves, highly injurious, to our prospects, through the dissatisfaction it would justly produce. The Man who has left his wife and Children at home unprotected and unprovided for. Might justly Complain of favoritism, when more burdens are placed on him than on his More fortunate and prosperous Neighbor. In emergencies, all able to bear arms, Should be required to perform Militia duty. Militia are not expected to be used except in emergencies and the Service of the Militia would not ordinarily interfere, Materially, with the Making or gathering of Crops. To have a Strong well organized Militia force, Subject to be Called to different parts of the State, is, Simply, to give power to protect and defend the State, without Subjecting the Citizen to unnecessary or onerous burdens. I trust you will So Amend the laws as to give More efficiency to our powers of defence.

Alabama has, heretofore, liberally provided for the families of Soldiers, and I recommend that Such provision be made for the future as will Satisfy our brave defenders that their Services are appreciated at home and that their loved ones will be protected and Cherished. I Shall not make any over estimate when I assert that the war has Made in this State, ten thousand widows, that ten thousand families have been left without the protection of a father, not less than five thousand of Alabama's Sons have been Maimed in legs or arms, disabling them from the performance of the duties of the field as well as those domestic duties incumbent on the head of a family. The Confederate Government at the end of the war, will find itself without the Means, if it has the Constitutional power, to provide for these Children of the Republic. It will devolve on the State to pay the debt of gratitude to save them, Alabama has a large public domain, Consisting of over Six Millions of Acres of unsold and unappropriated Lands. These Lands will furnish the Means of paying to Some extent, the debt which a grateful State will owe to her Crippled Soldiers and to the families of those fallen in battle or by disease of the Camps. A homestead Can thus be provided by Alabama for every one of the battle Scarred heroes; and the widow and orphan Can be Made to rejoice in the possession of a home they Can Call their own. I recommend that all these public lands Shall be withdrawn from Sale, and that they Shall be reserved for the accomplishment of these Noble ends.

On the 17th day of October, the Governors of North Carolina, South Carolina, Georgia, Mississippi, Virginia and Alabama, on the invitation of the Governor of North Carolina, assembled for Consultation in Augusta, Ga. They adopted Several Resolutions. I herewith respectfully present you with Copies thereof. I was not present during the whole time of this Convention being Suddenly Called home by Sickness in my family but I approve of all the Resolutions passed with the exception of the one in relation to the use of Negroes in the Army. I Submit them to you for your Consideration, and recommend that you take all necessary Measures to Carry out the Sentiments of each, except the one which I have named.

The idea of using Negroes in the Army, except for Teamsters, Cooks, pioneer Service, and for work on fortifications and as Nurses in Hospitals, I think utterly indefensible in principle and policy. To permit the Confederate Government to organize properly in these and Alternately, to emancipate Boldly or Stealthfully; perform Service, would be to

unconstitutional, as it would be destructive to the interest of the States. So far as Ohio is concerned, the Legislature is without power to aid in the accomplishment of such a purpose. Our State Constitution declares that "no Slave in this State shall be manumitted by any act done to take effect in this State or any other Country."

As a general rule, in time of peace, I should disapprove and refrain from Consideration, affecting our Federal or Confederate policy. But in the midst of war, when the air is resonant with the Clash of Arms, we Cannot if we would, shut our eyes to the events transpiring around us, affecting the welfare, the Material prosperity, and the destiny of our own State. Our people are tired of war! We have never, from the beginning put on the habiliments of war, except to avoid a greater evil than war itself. Our Soldiers are Citizens; and though inured to the hardships of Camp life and accustomed to the turmoil and excitement of both, they are yet all longing for the quietude and Comforts of peace. War has no charms for the Soldier. It is a high sense of duty — duty to his wife and Children — duty to his home and Country — to Honor and to Liberty, which prompts him to take his life in his hands and array himself in the dread panoply of war. The universal desire for peace has Suggested Many Modes, other than the prowess of Arms, for terminating the war. I do not intend to enter into a discussion of these different Modes: Neither Shall I dispute the patriotism or Soundness of those who may differ from the views here expressed. In respect to our present difficulties, I would have our whole people of one Mind and one heart; for our destiny for weal or woe, is one! Recrimination and retaliation never yet made a Convert to truth. The Calm appeal to reason, if it does not Convince, will never irritate any honorable Mind.

One mode by which this so much desired peace is to be accomplished, that which now so much agitates the public and the people, is the one proposed by the Chicago Convention. In examining this Scheme, we must not overlook the fact, that it is the Scheme of a party Convention; and the proposition is contained in a party platform Made by politicians, who are Seeking for power in the United States by displacing those who now possess it. We Should not forget that it Comes from those who have been our enemies, with few exceptions, however much they now profess to be opposed to a further prosecution of the war against us; from those, who, with remarkable unanimity, have, for near four years, Sought to destroy us as a people. We Should therefore, Seem, with more than ordinary Care and Circumspection, the length and breadth of the proposition they make to us. It may have been intended as a delusion and a Snare to us. It may have been intended to divide the people of the South into parties, and thus to destroy the Strength which Unity gives. It may have been intended as an adroit Scheme to accomplish that by which States now by force of Arms, thus far, failed to accomplish — our destruction as a Nation — our Subjugation as a people.

But Suppose we accede to the Makers of that platform an honest desire to bring about a permanent peace; Still the proposition Comes from those who have no authority to Speak for the United States. Lincoln and his party hold the reins of power, have the Army and the Navy, and all the resources of the United States at their Command. He and his party make no Such proposition. They refuse to offer or accept terms of peace, except Such as no honest man in the South Can honorably embrace, and no patriot Can tolerate. But Suppose the party Making this proposition have all the power necessary to enforce in the United States, acquiescence, if not approbation; Still the proposition must be Scanned. The proposition is, that all the States United and Confederate Shall Meet in Convention; for what purpose? and to what end? The platform itself declares, "to the end, that at the earliest practicable Moment, peace May be restored on the basis of the Federal Union of the States!" The meaning of this proposition Cannot be mistaken. It is that the Constitution of the United States Shall again Cover all these States! It is that Massachusetts secession, with all of its horrible Concomitants is to be again tendered to the embrace of the people

of the South; it is that Virginia, despoiled of her dominion, shall meet with loving embrace, the John Browns of the North. It is to forget the past four years of Cruelty and Carnage; to stamp with the brand of Rebel and Traitor, the names of our Sons, our fathers and our brothers who have manfully struggled for rights sacred to freemen. It is to reconstruct with those who for four years have vainly attempted to subjugate us, and who have broken into fragments in their own Country, every land-mark of Constitutional Liberty. To state the proposition is to reject it by every true-hearted Southern Man.

But it is said by those who advocate amongst us, such a Convention of all the States, that the great thing to be attained is the Cessation of hostilities, and that the Convention, when assembled, will make its own terms, and these will result in the recognition of our Confederacy as an independent Nation. By what sort of political legerdemain, such results are to be accomplished through the heterogeneous elements which must Compose such a Convention of States, is beyond my ken.

But how is such a Convention or Convocation of States to be assembled? By what authority are all the States, Confederate and United States, to be assembled in one Convention? Who has the potent voice to call them from the bloody arena of war to the Calm Council of peace? By what Machinery are the States to be represented in such Convention or Convocation of States? If by delegate, who is to appoint them, and what powers will they possess when assembled?

The States composing the Confederate Government have formed a Constitution, and in that they have Specified the powers delegated to the Confederate Authorities and have defined the powers reserved to the States. The States, under our Constitution, Can only be assembled together in Convention, on the Call of three or more States for the purpose declared in the 5th Article of the Constitution, that of Amendment. The President of the Confederate States has only such powers as are given him either by the Constitution or by the laws in accordance with the Constitution; and whatever these powers may be, he has no right to transfer them from this Constitutional depositary. Congress have only such powers as have been delegated to them through the Constitution and Congress Cannot divest themselves of any powers with which the Constitution entrusts them. These are all trust powers, which must be exercised with Scrupulous fidelity to the Spirit of the Constitution. The Constitution of the United States is Similar to ours in this respect. The President and Congress of the United States possess no more powers than the President and Congress of the Confederate States in respect to Calling a Convention of all the States Composing that Government. The President of the United States Cannot Call a Convention of the United States. The Congress of the United States have no power to Call a Convention of the States of that Government for the purpose of Making treaties. The President of the Confederate States has no power to Call a Convention of the Confederate States; and the Congress of the Confederate States has no power to Call a Convention of the Confederate States except for the purpose named in the 5th Article of the Constitution. The two Presidents Combined and the two Congresses Combined Cannot Call together the States Composing both Governments. The power to make treaties, that of peace included, is delegated by the States through our Constitution to the President with the advice and Consent of the Senate. The States under the Constitution, have thus parted with the power to make treaties. The President has no right to transfer to the States or to delegates appointed by the States, the power to make treaties. Congress Cannot do so, because Congress possess no treaty-making power, and Congress Cannot Amend the Constitution; and Congress Cannot Confer power on the States. The States do not derive their powers either from the President or Congress.

The States themselves in their highest Sovereign Capacity,

Cannot call a Convention of all the States for the purpose of Making a treaty without abrogating the Confederate Constitution. The Constitution of the Confederate States is just as binding on the people of Alabama as is the State Constitution. The Constitution of the Confederate States is the "Federal Constitution of the People of Alabama" & it was adopted by the same high authority - the Sovereign people of Alabama in Convention assembled, as was the State Constitution. Neither was ever submitted to the votes of the individual Citizens for their ratification and adoption. In the history of the United States, the Constitution of the United States was never submitted to the individual Citizens of any of the States for their ratification and adoption. No State Constitution of any of the States was ever submitted to the vote of the individual Citizens until 1836. It was never, in the United States, deemed necessary or proper before that time. It was never deemed necessary or proper until a species of Red Republicanism Commenced its depredations on the pure Republicanism of the fathers of the Republic. A Convention of delegates selected by the people of each State, was, down to that time, Considered the highest known political power.

The Legislatures of the States have no power to appoint delegates to such a Convention of all the States. The Governors have, if possible, less power. To attempt it by Legislation would be Revolution and not Constitutional action. To do so by legislative action would be to do, what many persons have denied that the people of the State in Convention assembled had power to do.

The question then comes back again, how is a Convention of all the States to be legally and Constitutionally Called together? It can only be done legally and Constitutionally, by the Sovereign people of each State in Convention assembled. So long as the present Confederate Constitution Remains in existence, the Legislatures of each are bound by it; and the States through their Legislative authority Cannot, by Separate or Conjoint action, Make treaties or appoint in Convention to make treaties. Such action is expressly forbidden in the 10th Section, 1st Article of the Confederate Constitution.

It necessarily follows that in order, legally and Constitutionally to appoint such a Convention of the States, the people of each State must first be legally assembled in Convention; they must then secede from the Confederate Government; declare their separate independence; and then select their delegates to meet others, selected in the same way by other States seceding, in a Convention of all the States.

The same proceedings must be had in the United States.

Then it will be seen that to appoint such a Convention or Convention of the States, the Constitution of the United States must be abrogated; and the Constitution of the Confederate States Annulled. Who is wild enough to dream that the people of the United States will Consent to such proceedings? On our part, what does such Convention or Convention of the States involve? The withdrawal of all our troops from the Confederate Army, the deposition of the President and all Confederate Officers; the abolition of the Confederate Constitution and Government. We should then have no Government Common to all the States of the Confederacy, but in this respect we should be in a State of Complete Anarchy.

The proposition so much and so earnestly by gentlemen of distinguished ability, position and influence, is that the Convention should be called to assemble in peace and independence. I have shown that the first step to such peace leads on the broken fragments of our Constitution. What guarantee have we, that from such a Scheme, we should ever have peace? See that which would result from a reconstruction or a subjugation of the Confederate States? —

A reconstruction with the States from which we declared Separated in the beginning of this Conflict! Who Consents in would consecrate or prosper it? Who in Alabama, however much he may have been opposed to Alabama's Secession would now, after three years development of Yankee Character and Yankee barbarity and despotism, entertain such a proposition! We would desire a political Union with these

Who have Murdered our Sons, outraged our women, and with Remorseless Malice wantonly destroyed our property and Now seek to Make Slaves of us? The Voices from the graves of two hundred thousand fallen heroes would blanch the Cheeks of the Traitor who would propose it. The hoarse Shout of four hundred thousand living heroes, now with arms in their hands, fighting for liberty and independence, would forbid it! If attempted by those at home away from the danger and Carnage of the battle, the Consequence would be frightful. A Civil war in fact would be inaugurated and the red Stream of internal Strife Swelling like the Molten Lava from Some Volcanic Crater throughout every Avenue of the State, would flow, Annihilating, deluging with its burning Avalanche, every land Mark of Civilization. The horrors of this public war between two Contending Nations (for ours is no Civil war) would be but the twilight here Compared to Timour's Carnage. The Midnight pall of despotism would forever envelope in its Murky folds every Spark of public liberty. But I forbear, the picture is too dark for Contemplation.

But it is Said by Some, that a necessity for Such Convention exists, because in Making any treaty, boundary lines Must be established, and that of the Confederate and United States Government Cannot dispose of any portion of the territory of a Single State without its Consent. Admit this to be true, how will a Convention of all the States Mend the Matter? The Consent of each State whose territory May be Ceded, would be equally necessary, to any treaty formed by a Convention of all the States, So that the Convention, in this respect, Could exercise no more power than the Constitutional authorities of the United States and Confederate Governments.

It is Said by high authority, that the Convention or Convocation of States would be Such a body as that of the Constitutional Convention of 1787! There is in my judgment, no analogy in the Cases. That was a Convention of States of the same government. It was a Convention Called under the old Articles of Confederation, and there was Nothing in those Articles of Confederation forbidding the States to assemble in such Convention to Make a Constitution especially, when done with the Consent of the Congress. The proposition here is that the States Composing two Separate governments, Shall assemble in Convention to Make a treaty of peace!

Our Constitution provides a Mode by which peace can be Made. Are we prepared to admit that our Constitution, in this respect, is a failure? The Same provisions are found in the Constitution of the United States. This Constitution was Made in 1787. Was it a failure and at this late day have we just discovered the failure? Our Constituted Authorities have evinced no opposition to peace, but on the Contrary have Made propositions More than once. Their propositions have been Scornfully rejected. We have the highest assurance that the power of diplomacy and Negotiation have not been, and will not, in the future, overlooked by those whose Constitutional duty it is to Make peace. To attempt to interfere without a knowledge of every part of all the facts and Circumstances which should Control an enlightened judgment, would but be blind and defeat for good, the accomplishment of a permanent peace. Let us have faith and Confidence that our President and Senate will make every effort for peace, a lofty patriotism Can demand. Let us Nerve ourselves with the Courage that fired the hearts of the heroes of 1776; and let us bear with patience and fortitude, the trials and the perils which await us, trusting in the fortress of our Cause — in the Strong arms and Stout hearts of our Soldiers and relying on God who rules the affairs of Men and Nations.

The end of this Campaign leaves us in far better Condition than we were twelve Months Since. With a Union of hearts and a Union of hands, our Cause Must triumph! Bickerings Amongst ourselves but weaken us. Let us cultivate harmony Among ourselves; knowing that whatever befalls one, will befall all; as citizens as we would patriots, the fearful influence of party. Let us Cherish a higher degree of State pride. Let Alabama and Alabamians be held as the apple of our eyes!

I Commend you to the Care and guidance of "Him who doeth all things well."

T. H Watts
Governor of Alabama

Which Message was read.

Mr Jones offered the following Resolution which was adopted;

Resolved.

That three thousand Copies of the Governors Message be ordered printed for the use of the House.

Mr Bishop offered the following Resolution;

Resolved.

That a Committee of Three be appointed to act with a like Committee on the part of the Senate to wait on the Clergy of the City and request them to open the Sessions of the two Houses of the General Assembly by prayer.

Mr Cooper moved to amend by Striking out the words,
"Clergy of this City"
and insert "of the General Assembly"

Mr. Mordecai offered the following Substitute

Resolved.

That the Ministers of the Gospel of the City of Montgomery and of the General Assembly, be invited to open the proceedings of the House each Morning, with prayer.

The question was on this Substitute which was adopted and the Resolution as Amended, was adopted — Yeas 58 Nays 17

Mr Bowers offered the following Resolution which was adopted;

Resolved

That the Clerk be authorized to employ a Messenger for the House of Representatives, during the present Session.

Mr T. P. Cottle, Representative elect from Coosa County appeared within the Bar of the House, was duly qualified by Supreme Court Judge Stone and took his Seat.

Mr Foster offered the following Resolution which was adopted;

Resolved

That the Rules of the House at the last Session be adopted as the Rules of the House at the present Session.

Mr Jones offered the following Resolution which was adopted;

Resolved — That the Committee on Military Affairs be instructed to enquire into the expediency of So amending the present Militia Law in relation to the First Class Militia of this State as will authorize Brig-Generals to order their Commands anywhere within the limits of their respective Congressional Districts to assist in arresting deserters and repelling Raids when necessary and also to provide for the necessary Quarter Masters and Commissary Departments to Said 1st Class Militia.

Mr Medaweall offered the following Resolution:

Resolved,

That the Senate Concurring, the Two Houses of the General Assembly will assemble in the Hall of the House of Representatives on Saturday at 11 Oclock for the purpose of electing a Solicitor for the 7th Judicial Circuit.

Mr Maracco moved to postpone the Consideration till 10 Oclock to-morrow Morning

which Motion was Lost

And the Resolution was adopted and Sent forthwith to the Senate.

Mr Chambers introduced Joint Resolution

In Relation to Improvements and the Schedule of prices fixed by the Confederate Commissioners

which was Read and adopted.

Mr Betton introduced a bill

To incorporate the Orphans Home Association of the State of Alabama

which was Read twice and Referred to the Judiciary Committee.

Mr Benners introduced a bill.

To incorporate the Orphans Homes of the State of Alabama

which was Read twice and Referred to the Judiciary Committee

On Motion of Mr Chambers, the various topics and Recommendations of the Governors Message and the documents accompanying the Same were referred to the several Appropriate Committees respectively.

Mr Parsons offered the following Resolution which was adopted,

Resolved,

That the Judiciary Committee be instructed to enquire into the expediency of So Amending the Constitution of this State as to permit the General Assembly to remain in Session as long as the public business renders it necessary and Repeal by bill or otherwise

Mr Ogburn introduced a bill

To Amend the Charter of the City of Montgomery.
which was Read and ordered to a Second Reading.

Mr Dawson offered the following Resolution which was adopted:

Resolved,

That the Military Committee be requested to enquire into the expediency of Amending the Law defining the duties of the 1st Class Militia, So as to prevent the 1st Class Militia of any County from being used as a permanent guard for Federal prisoners and to Report by Bill or otherwise.

Mr Cumming introduced a Bill

To Amend the Militia Law of this State.
which was Read thrice and Referred to the Military Committee

Mr Medawell introduced Joint Resolution

To Amend the Constitution,
which was Read and ordered to a Second Reading

Mr Kilpatrick introduced a Bill

For the Relief of Alexander Carleton
which was Read three times forthwith and passed.

Mr Head introduced a Bill

To enable the Tax Collectors of this State to make Change
which was Read thrice and Referred to the Committee on Ways and Means.

Mr Brooks offered the following Resolution which was adopted:

Resolved,

That the Committee on Ways and Means be instructed to enquire into the expediency of Levying and Collecting a Tax in Kind upon Corn, Wheat, Potatoes, Bacon, Sorghum Syrup and Leather, for the Support of the Indigent families of Soldiers in this State; and to provide for paying for the Same by Credits against future State Taxes or otherwise; and Report by Bill or otherwise, at the earliest day practicable.

Mr Moulton introduced Bills

To Amend Section 2679 of the Code of Alabama
To Amend the Charter of the City of Mobile

which were Severally Read twice and Referred to the Committee on the Judiciary.

Also introduced a Bill

To render applicable, an act, to the First Chancery Division of this State,
which was Read three times forthwith and passed-

Mr Dawson introduced a Bill

To transfer the Chancery District Compound of the Counties of Monroe and Clarke from the Southern to the Middle Chancery Division.
which was Read twice and Refered to the Judiciary Committee.
P

Mr Lander offered the following Resolution which was adopted;

Resolved,

That the Committee on Ways and Means be instructed to Report a bill at early as practicable Making an appropriation to aid in the Support of the Indigent families of Soldiers in the Military Service from this State, during the ensuing twelve Months,
P

Mr Bell introduced a Bill

To authorize the Recorder of the estate of John H. Walker
which was Read twice and Refered to the Judiciary Committee

On motion of Mr Battle,

Leave of Absence was granted to Mr Hall Door Keeper until Tuesday next-

House adjourned till 10 O'Clock, to morrow Morning.

House of Representatives
Montgomery Ala Friday Nov 18. 1864

House Met pursuant to adjournment.
Journal for Monday last was Read and approved—
Mr Speaker announced that the Standing Committees would be the Same as at the last Session except that Mr Cottle would be upon the Committee on Retrenchment and Propositions and Grievances.

Mr Speaker laid before the House the Annual Report of J. T. Bradford Commissioner of Public Lands
which was Read and

On Motion of Mr Parsons Ordered on the table and 133 Copies ordered to be printed—

Mr Speaker laid before the House a Communication from G. F. Salle
which was referred to the Judiciary Committee

Bills were Introduced.

By Mr Cooper,
To provide for the immediate Relief of families rendered destitute of Subsistence in the Counties of Cherokee, DeKalb and Morgan
Which was Read twice and Refered to the Committee on Ways and Means.

By Mr Medaweell
To increase the Tax on Licenses issued to Hotels and Taverns Keepers

By Mr Berryman
To authorize County Treasurers to exchange old issue for Notes of the New issue
which was Severally Read twice and Refered to the Committee on Ways and Means—

By Mr Foster
(With a Petition) For the Relief of the Heirs of Joseph Kemp.

By Mr Dawson
To Remove the Administration of the Estate of Jonathan C. Farley from the County of Macon to the County of Dallas.

By Mr Kelly Bateman

For the Relief of Thomas Kelly

By Mr Coleman

For the Relief of Thomas H. Herndon Administrator with the will annexed of Thomas H. Herndon deceased.

By Mr Morrow

To legalize the Marriage of Francis M. Wilkinson and Elizabeth Prescott of Jefferson County.

By Mr Lewis

To legalize the last will and Testament of Charlotte Loper deceased.

By Mr Chambers

To authorize the issue of letters of Administration in a certain Case.

By Mr Gaffard

To Remove the Administration of the estate of Charles T. Calloway from Wilson to Monroe County.

which Bills were severally Read twice and Referred to the Judiciary Committee.

By Mr Vangandt

To amend the Militia laws of this State.

which two Read twice and Referred to the Military Committee

Mr Ellis moved to Reconsider the vote by which Mr Bethune's Resolution was adopted yesterday providing for the appointment of a Committee of two of each House to examine into the acts and doings of the Quarter Master General of this State ~~was adopted~~

which Motion was Carried.

Mr Bethune moved to amend by adding Mr Parsons to the Committee

which Motion was Carried.

Mr Crumpley moved to instruct the Committee to sit
which Motion was Lost.

Mr Bettis's Motion was Carried—

Mr Ogburn introduced a Bill

To equalize the Salaries of Clerks in the State and Execution Departments—

which was Read three times forthwith and passed—

Message from the Senate by Mr Morgan Asst Secretary.

Senate Nov 18. 1864

Mr Speaker.

The Senate Concurs in the House Resolution proposing to elect a Solicitor for the 7th Judicial Circuit on Saturday next at 11 O'Clock.

Has also adopted the following Resolution,

Resolved,

That with the Concurrence of the House of Representatives, a Joint Committee be appointed to take into Consideration, the Joint Rules of the two Houses with the view of repealing such Amendments thereto as may be considered necessary.

Messrs Garrett, Barnes and Logan are the Senate Committee

The Senate has originated and passed the following Bills,

To alter and Amend the Charter of the Alabama Life Insurance and Trust Company of Mobile

For the Relief of Ann A. Zachary.

Messrs Chambers Battle and Barnes are appointed the Committee under forgoing Senate Resolution which was Concurred in by the House—

Senate Bills

For the Relief of Ann A. Zachary

was Read three times forthwith and Passed—

To alter and Amend the Charter of the Alabama Life Insurance and Trust Company of Mobile

was Read three times forthwith and passed—

Mr Chambers introduced Joint Resolution

In Response to the Resolutions of the Governor of Alabama

which were Read and

On motion of Mr Sayres, laid on the table and 133 Copies ordered to be printed

Mr McClellan offered the following Resolution which was adopted;

Resolved,

That with the Concurrence of the Senate the two Houses of the General Assembly will proceed in the Hall of the Hall of the House of Representatives at 11 O'Clock A.M. to-morrow, for the purpose of electing a Solicitor for the 4th Judicial Circuit.

Mr Bryan offered Joint Resolution

In Relation to Payment of Taxes and Certificates &c

which was adopted—

Mr Vanzandt introduced Joint Resolutions

For the Relief of Indigent families of Soldiers in the State.

which were Read twice and Referred to the Judiciary Committee.

Mr Bell offered the following Resolution which was adopted;

Resolved,

That the Committee on Education enquire into the expediency of abolishing the Offices of State and County Superintendents and Report by Bill or otherwise—

Mr Madewell introduced a Bill

For the Relief of Samuel H. Fitts Administrator of William Fitts deceased,

which was Read three several times and passed—

On Motion of Mr Chandler, Messrs Graves and Nisbet were added to the Committee on Education.

Mr Lawler offered the following Resolution which was adopted;

Resolved,

That the Committee on Military Affairs be instructed to enquire into the expediency of Re-organizing the Quarter Master's Department, and also, of Repealing "An Ordinance to provide for the Military defence of the State of Alabama" adopted 19th January 1861; and Report by Bill or otherwise—

Mr Bethea offered the Report of John Whiting Commissioner and Trustee which
On motion was Referred to a Joint Committee of three from each House.
Messrs Bethea, Foster and Cumming on the House Committee.

Orders of the day.

Joint Resolution To amend the Constitution
was Read a Second time and Referred to the Judiciary Committee.

Bill
To amend the Charter of the City of Montgomery
was Read a Second time and Laid on the table.

Mr Chambers offered the following Resolution which was adopted:

Resolved
That the Committee of Ways and Means be instructed to enquire into the propriety of So amending the Revenue laws of this State as to tax incomes and Cotton held by others than producers; and to Report by Bill or otherwise.

House adjourned till 10 O'Clock, to-morrow Morning—

House of Representatives
Saturday November 19. 1864

House Met pursuant to adjournment.

Prayer by the Revd Mr Holman of the Baptist Church

The Journal was Read and approved.

"

Call of the Counties.

Bills were Introduced

By Mr Howard

To authorize the Commissioners Court of Autauga County to expend Certain Monies therein named

"

By Mr Brandon.

To authorize Wm. McElratte, Daniel F. Smyer, and Francis L. Brandon to build a Toll Bridge across Chattooga River.

By Mr Clarke

For the Relief of James Dorbrice

By Mr Bryan

For the Relief of Thomas H. Mabson Sheriff of Macon County.

By Mr Nisbit

To increase the fees of the Jailor of the County of Russell

By Mr McInnis

To make a certain act applicable to Lowndes County

By Mr Orr

To increase the fees of County Officers in Franklin County

which Bills were Severally Read three times forthwith and Passed—

Message from the Senate by Mr Morgan

Senate Nov 19

Mr Speaker

The Senate has originated and passed a Bill

To authorize the estate of Thomas H. Herndon Deceased to be kept together by the Administrator

And Concurs in the Resolution of the House to elect a Solicitor for the 4th Judicial Circuit on this day at 11 O'Clock

Bills were introduced

By Mr Sykes

To Reimburse Indigent families of Soldiers in the County of Lawrence with funds of which they have been robbed by the enemy

Which was Read three times forthwith and passed

Yeas 68
Nays —

Those who voted in the Affirmative are Messrs. Speaker, Armstrong, G W. Ashe, Atkinson, Beard, Bell, Bethea, Bishop, Brandon, Brooks, Bryan, Carlisle, Chambers, Chapman, Charlton, Chisolm, Clarke, Coleman, Cooper, Cottle, Cox, Cumming, J. W. Davis, M. L. Davis, Dawson, Deal, Foster, Gafford, Gardner, Gibson, Graves, Head, Hollis, Howard, Keenan, Kilpatrick, Lawler, Leeper, Lewis, Ligon, Mager, Mann, Mc May, Merrick, Modawell, John Moore, John G. Moore, Morrow, Moulton, Mc Alexander, Mc Innis, Mc Lellan, Nisbet, Osborne, Orr, Parish, C. A. Parker, Parsons, Price, Robinson, Sims, Sibley, Sykes, Vanzandt, Vincent, White, Williams and Wolff — 68

By Mr Chambers

To Change the time of Meeting of the General Assembly

By Mr Morrow

To Compel persons engaged in the Manufacture of Salt peter, to enclose their works.

By Mr Mager

To Repeal "An act to prevent Gaming in this State" approved December 3, 1862

By Mr Cumming

To Amend and explain a Certain act therein named

By Mr Leeper

To regulate Judicial Proceedings against Railroad Companies and to Amend An act therein named.

Also,

To regulate Judicial Proceedings in Certain Cases.

By Mr Bennett

To authorize Executors, Administrators, Trustees and Guardians to Sell Bonds and other Securities in Certain Cases.

Which Bills were Severally read twice and referred to the Judiciary Committee.

By Mr Kilpatrick

To define the Mileage to be allowed Tax Collectors.

By Mr Langstaff

To Amend the Revenue Laws of this State.

By Mr Cottle

For the Relief of A. J. Fletcher Tax Collector of Covington County

Which Bills were Severally read twice and referred to the Committee on Ways and Means-

By Mr Price

To Amend the Charter of the Alabama and Mississippi Rivers Rail Road Company

(Which bill was Read twice and)

On motion of Mr Dawson, the Bill was Amended as follows:

Provided That all the rights, powers and privileges and duties pertaining to or imposed on Said Company by its present Name are hereby Made applicable to it by the Name in this act Mentioned.

Bill was referred to the Committee on Internal Improvements—

Senate Bill

To authorize the estate of Thomas H. Herndon deceased to be kept together by the Administrator

was Read three and Referred to the Judiciary Committee.

Reports from Standing Committees

Mr Parsons from the Judiciary Committee, reported favorably to the Bill

To authorize the Removal of the Estate of John L. Walker

which Bill was read a third time forthwith and passed—

Also. favorably to the Bill

To amend Section 2679 of the Code of Alabama

which Bill was Read a third time forthwith and passed—

Mr Sanders from the Committee on Ways and Means, reported adverse to the proposition in the Resolution instructing Said Committee to enquire into the expediency of levying and Collecting a Tax in Kind upon Corn, Wheat, Potatoes, Bacon &c for the Support of Indigent families of Soldiers &c—

which Report was Concurred in.

Also, Report adverse to the Bill

To enable Tax Collectors to make Change

which Report was Concurred in.

Mr Woodward offered the following Resolutions which were adopted:

Resolved,

That the Committee on Military Affairs be, and they are hereby instructed to enquire into the expediency of repealing So much of the 9th Section of "An Ordinance to provide for the Military defence of the State of Alabama" adopted Jany 19, 1861, as provides for the appointment of an Adjutant and Inspector General, Assistant Adjutant General, a Quarter Master General and two Assistant Quarter Masters.

2nd—That the Said Committee are further instructed to enquire into the expediency of reducing the number of Clerks and other employes in the Military Department of Alabama.

At 11 O'Clock, the Senate upon the invitation of the House appeared in the Hall of the House, when the two Houses in Joint Convention, proceeded to the election of Solicitors for the 4th and 7th Judicial Circuits.

Nominations being in order, for Solicitor of the 7th Circuit.

Mr Clarke of the Senate, put in nomination the name of J. P. Jones who having received all the votes Cast was declared by Mr Speaker, duly and Constitutionally elected Solicitor for the 7th Judicial Circuit for the term prescribed by law.

Nominations being in order for Solicitor of the 4th Circuit.

Mr Gibson of the House nominated Samuel M. Morrow of Morgan County

Mr Dykes of the House nominated Mr H. C. Speak of Morgan County.

Those who voted for Mr Morrow are Messrs President, Barnes, Broadnax, Bulger, Clarke, Davis, Ervin, Garrett, Harrison, Ligon, Lewis, Moses, McCall, Peacock, Parks, Powell, Reavis S. F. Rice, Tomlinson and Wood of the Senate — 20 and

Messrs Speaker, Armstrong, J. W. Ashe, Atkinson, Beard, Bell, Bennett, Bishop, Braden, Brooks, Bryan, Carlisle, Chambers, Chapman, Chastain, Coleman, Cooper, Cottle, Cox, Crenshaw, J. W. Davis, M. L. Davis, Dawson, Dent, Ellis, Foster, Gafford, Gardner, Gibson, Graves, Hearl, Hobbs, Howard, Jones, Keenum, Kilpatrick, Sanders, Sneed, Lewis, Ligon, Mann, Malone, Manasco, May, Merrick, Medowell, John Moore, Morrow, Moulton, McInnis, McLellan, Nisbet, Osborne, Orr, Parish, C. A. Parker, Parsons, Price, Robinson, Sims, Sibley, Vaughan, Vincent, Williams and Wolff of the House — 65

In all 85 votes —

Those who voted for Mr Speak are Senator Hill and

Messrs Bethea, Chisolm, Clarke, McAlexander and Dykes of the House — 5

In all 6 votes —

Mr Morrow having received a Majority of all the votes Cast,

Mr Speaker declared him duly and Constitutionally elected Solicitor for the 4th Judicial Circuit for the term prescribed by law.

The Convention then dissolved and the Senate withdrew to its Chamber.

Mr Bethea offered the following Resolution which was adopted:

Resolved,

That the Committee on the Judiciary be instructed to enquire into the Subject Matter of adopting Some plan by which the pay due to the Representatives of deceased Soldiers who have Money due them from the Confederate States may be paid in the State; and Report a bill or Joint Resolution which will accomplish Said object.

Mr Foster offered the following Resolution which was adopted:

Resolved,

That the Committee on Public Lands be instructed to enquire into the expediency of passing an act to ratify the Sale of Lands Made by Tax Collectors in the Year 1849 and report by Bill or otherwise.

Mr Bell offered the following Resolution Which was adopted:

Resolved, That the Committee on Ways and Means be instructed to enquire into the expediency of increasing the taxes, 100 per cent, discriminating in favor of those persons, whose property has been rendered unproductive, by the enemy; and Report thereon by Bill or otherwise.

Mr Chambers offered the following Resolution which was adopted.

Resolved That the Committee of Ways and Means be instructed to enquire into the expediency of so Amending the Tax on Auction Sales in this State as to make it a Source of Revenue instead of being prohibitory as it now is; and Report by bill or otherwise.

On Motion of Mr Lander, Mr Sykes was added to the Committee on Ways and Means.

Message from the Senate by Mr Morgan

Senate Nov 17.

Mr Speaker.

The Senate has originated and passed the following Bills.

For the Relief of the Administratrix of the estate of James T. Brock deceased of Chambers County.

In relation to the Sales of Land by order of the Probate Courts for the payment of debts.

To amend Sections 857 and 863 of the Code and for other purposes.

To amend the Laws in relation to the City Court of Montgomery.

To extend to the Southern Chancery Division, the provisions of "An act to Regulate the Courts of the Middle Chancery Division during the existing war" approved Nov. 17. 1863.

For the Relief of Mrs Ida F. Jarratt

The Senate has also passed the House Bill

For the Relief of Alexander Carleton of Clarke County,

And Concurs in the Resolution of the House, proposing to appoint a Joint Committee to examine into the acts and doings of the Quarter Master General.

The Senate has adopted the following Resolutions

Resolved, That a Committee of Three be appointed to act with a like Committee on the part of the House to settle the accounts of the Commissioner and Trustee of the State Bank and Branches.

Messrs Powell, Reese and Erwin on the Senate Committee,

Have laid the foregoing Resolution on the table.

Senate Bills

For the Relief of Mrs Ida F. Jarratt

To amend the Laws in relation to the City Court of Montgomery

were Read the first time forthwith and passed.

Senate Bills

To extend to the Southern Chancery Division, the provisions of An act entitled "An act to Regulate the Courts of the Middle Chancery Division" during the existing war" approved Nov 19, 1863.

To Amend Sections 857 and 863 of the Code and for other purposes.

In relation to the Sales of Land by order of the Probate Court for the payment of debts

For the Relief of the Administrators of the estate of James T. Brock of Chambers County deceased

Were severally read twice and referred to the Judiciary Committee.

Mr Kilpatrick offered Joint Resolutions against Reconstruction

which were Read and on Motion of

Mr C. A. Parker, they were referred to the Committee on Confederate Relations.

Yeas 48.
Nays 24

Those who voted in the Affirmative are Messrs: Speaker, Armstrong, J. W. Ashe, Beard, Bell, Brannon, Bishop, Brandon, Carlisle, Chastain, Chisolm, Clarke, Coleman, Cooper, Coltt, Cox, J. W. Davis, M. L. Davis, Dent, Ellis, Flournoy, Gibson, Head, Howard, Lamar, Leiper, Lewis, Ligon, Malone, Manasco, Merrick, John G. Moore, Morgan, Montgomery, McClellan, McLemore, Ogburn, Orr, C. A. Parker, Parsons, Robinson, Sims, Staley, Stokes, Terrell, Vincent, White and Wolff—

Those who voted in the Negative are Messrs, Atkinson Battle, Brady, Bryan, Chambers, Chapman, Cunningham, Dawson, Gaffard, Gardner, Graves, Hollis, Jones, Keenan, Kilpatrick, May, Medaniell, John Moore, McClendon, McInnis, Nisbet, Parish, Price and Williams— 24.

Mr Medaniell offered the following Resolutions which were adopted.

Resolved

That the Committee on Corporations be, and they are hereby instructed to enquire into the propriety of Repealing the Charters heretofore granted to Express Companies in this State; and to Report the Same by Bill or otherwise

Resolved

2nd That Said Committee are hereby instructed to enquire into the expediency of adopting Some Means by legislation to protect the rights of Citizens against the encroachments and Monopolies of all Express Companies in this State and to Report the Same by Bill or otherwise.

Mr Lawler offered the following Resolution:

Whereas, the expenditures of this State are greatly in excess of the Annual Revenue derived from all Sources; and

Whereas, it is impracticable to increase the Revenue by Taxation to an extent sufficient to defray the legitimate and unavoidable expenses of the State; and

Whereas, it is impolitic to increase the public debt to an amount which Cannot be paid without oppression, therefore.

Resolved,

That the Committee on Ways and Means be instructed to enquire into the expediency of Repealing all acts now in force authorising the distillation of grain and to provide by law that hereafter, grain shall only be distilled by the State, under Such Regulations and Restrictions as shall be deemed proper to provide for the Medicinal wants of the people, furnish Whiskey and Alcohol at reasonable rates, and at the Same time produce Revenue to be used in Supporting the Indigent families of Soldiers and of the poor of the State; and that Said Committee report by Bill or otherwise.

Mr Manners moved to postpone Consideration of the Resolution till Tuesday next at 11 O' Clock

Which motion was lost and the Resolution was adopted

Mr Malone offered the following which was adopted:

Whereas, It is made known to this House that the Judge of Probate of Kendall County in this State has been Seized and Carried off as a prisoner by the public enemy, and that being no person authorized by law to discharge the duties of Said office, therefore

Resolved, That the Committee on the Judiciary be instructed to enquire into the facts and the law, with a view to ascertain the powers of the General Assembly in providing a Remedy for evil resulting to the public from the absence of Said Judge of Probate; and Report by Bill or otherwise.

House adjourned till 10 O' Clock, Monday Morning.

House of Representatives
Monday November 21. 1864

House met pursuant to adjournment
Prayer by the Rev. Mr Bell of the House
Journal was Read and approved.

On motion of Mr C. A. Parker, the House reconsidered the vote by which Mr Kilpatrick's Joint Resolution against Reconstruction were Referred to the Committee on Confederate Relations on Saturday last.

Yeas 52
Nays 16

With the Leave

Those who voted in the Affirmative are Messrs. Speaker, Armstrong, G. W. Ashley, Atkinson, Beard, Bell, Bennett, Bethune, Bishop, Brandegee, Brooks, Bryan, Carlisle, Chamberlain, Chapman, Colfax, Cox, Cravens, Dawson, Denison, Frank, Foster, Gardner, Hollis, Howard, Jones, Kernan, Kilpatrick, Morgan, Mallory, May, Merrick, Middleton, John Moore, John G. Moore, Morrison, McAllister, McAlexander, McDaniel, McDowell, McKinney, Nesbet, Ogburn, Orr, Parish, C. A. Parker, Parsons, Price, Sims, Sloan, Smith, Stebbins, Stiles, Thomas, Trowbridge, Upson, Van Horn, Vincent, Wadsworth, Ward, Webster, Whaley, Williams, Wood and Wolff—52.

Those who voted in the Negative are Messrs: Charlton, Chrisman, Clarke, Cooper, J. W. Davis, M. L. Davis, Ellis, Gibson, Lansing, Leeper, Menzies, Morrow, Sykes, Vanzandt, Vincent and White—16—

The question then Recurred on Mr Parker's Motion to Refer to said Committee and
With the Leave of the House,
Mr Parker withdrew his Motion to Refer

Mr Cooper renewed the Motion to Refer the Resolutions to the Committee on Confederate Relations which was Carried.

Yeas 44
Nays 27

Those who voted in the Affirmative are Messrs Speaker, Armstrong, G. W. Ashley, Beard, Bell, Bennett, Bishop, Brandegee, Charlton, Chrisman, Clarke, Coleman, Cooper, Cottle, Cox, J. M. Davis, M. L. Davis, Denison, Frank, Foster, Gibson, Howard, Lansing, Leeper, Lewis, Ligon, Mallory, Menzies, Merrick, John G. Moore, Morrow, Middleton, McDaniel, McKinney, Ogburn, Orr, Parsons, Sims, Sloan, Smith, Stebbins, Sykes, Vanzandt, Vincent, White and Wolff—44

Those who voted in the Negative are Messrs: Allison, Bethune, Brooks, Bryan, Carlisle, Chamberlain, Chapman, Cravens, Dawson, Ellis, Gardner, Hollis, Jones, Kernan, Kilpatrick, Morgan, May, Maxwell, John Moore, McAlexander, McDowell, Nesbet, Parish, C. A. Parker, Price, Trowbridge and Williams—27

Mr C. A. Parker gave notice of his intention to move a Reconsideration of the vote on Saturday last Concurring in the Adverse Report of the Committee on Ways and Means to the Joint Resolution to levy and collect a tax in Kind for the Support of the Indigent families of Soldiers.

Mr Bettica presented the Annual Report of John A. Graham Military Auditor of the State which
On Motion was laid on the table and 150 Copies ordered to be printed-

Call of the Counties

Bills were Introduced

By Mr Vanzandt.

To amend the School Law of this State

Which was Read twice and Referred to the Committee on Education.

By Mr Merrick

To Consolidate the Offices of Tax Assessor and Tax Collector in Polk County

By Mr Manasco

For the Relief of the family of John Spencer of Walker County

Which were Severally Read twice and Referred to the Committee on Ways and Means, with instructions as to the latter Bill to Report at an early day.

By Mr Medaxell

To exempt Millers from Military Service in this State.

Which was Read twice and Referred to the Military Committee-

By Mr Moulton

To increase the Salaries and fees of certain Officers therein named

By Mr Ogbourne

To Remove the Administration of the estate of William Bledsoe from Pike County to Montgomery County

By Mr McInnis

To Suspend the operations of Certain Acts therein named until otherwise provided by Law.

By Mr Coleman

To limit and Construe An Act approved 30th January, 1860, entitled "An act to Construe Section 1738 of the Code"

Which Bills were Severally read Twice and referred to the Judiciary Committee.

By Mr Magee

To increase the Salary of the Judge of the City Court of Mobile

By Mr Cumming

For the Relief of W. B. Modawell of Marengo County

By Mr Chapman.

To Regulate the Fees of the Judge of the Probate Court of Perry County

Which Bills were Severally Read the Thirs time and passed

By Mr Parsons

To Amend An act relating to the Tuscumbia and Alabama Central Rail Road

which was Read twice and referred to the Committee on Internal Improvements

By Mr Davison

To Repeal Section 1143 of the Code so far as it relates to Dallas County and for other purposes.

Which was Read twice and Referred to the Committee on Roads, Bridges and Ferries -

Mr Price presented a Memorial

of Chs. W. Lapsley

which was Referred to the Committee on Ways and Means -

Message from the Senate by Mr Morgan Asst. Secretary

Senate Nov 21. 1864

Mr Speaker,

I am instructed by the Senate to deliver to the House the accompanying letter to the Secretary of War of the Confederate States on the Subject of Exemption from Confederate Service with the request that the Members of the House Sign the Same in their private Capacity, it being deemed by the Senate inexpedient to take legislative action on the Subject.

Micah Sugg
Secretary.

The Senate has originated and passed the following Bills:

To Amend Section 1869 of the Code.

For the Relief of Executors, Administrators, Guardians and Trustees.

For the Summary Trial of Slaves in Capital Cases.

To Supply the Soldiers from the State of Alabama with Clothing and for other purposes.

On motion of Mr Clarke the foregoing letter to the Secretary of War Communicated from the Senate was Read and the Clerk was permitted for each Member to Sign it.

On motion of Mr Parsons

Mr Monckton was added to the Judiciary Committee

Reports from Standing Committees

Mr Chambers from the Military Committee who was instructed to enquire into the expediency of enlarging the duties of the 1st Class of Militia and of providing Commissary and Quarter Masters departments for said 1st Class Reported a Joint Resolution to accomplish those objects

which joint Resolution was Read and Adopted —

Mr Karnes from the Judiciary Committee

Reported favorably to the Bill

To authorize the Removal of the Administration of the estate of Jonathan C. Parker from Macon County to the County of Dallas

which Bill was Read a third time and Passed.

Mr Lamar from the Committee on Ways and Means to whom was referred a bill "to Authorize County Treasurers to exchange old Specie for Notes of the New Issue"

Reported that the object of the bill is provided for by an act passed at the late Extra Session

which Report was laid on the table.

Senate Bills

To Amend Section 1869 of the Code

For the Relief of Executors, Administrators, Guardians and Trustees in Certain Cases,

For the Summary trial of Slaves in Certain Capital Cases,

were severally Read twice and Referred to the Judiciary Committee.

To Supply the Soldiers from Alabama with Clothing and for other purposes.

was Read twice and Referred to the Committee on Ways and Means —

Mr Price offered the following Resolution which was adopted;

Resolved

That the Judiciary Committee be instructed to enquire into the expediency of requiring the Tax Collectors of the various Counties to Specify and discribe the Lands of the Tax payer in his receipt.

Mr Dawson offered the following Resolution which was adopted;

Resolved

That the Committee on Salt Supply be instructed to enquire into the expediency of authorising the Sale of a Sufficient quantity of Salt at the Market price to pay all expenses of Manufacture, and to furnish the balance of the Salt produced by the State, to Soldiers families at the Cost of transportation.

On Motion,

House then adjourned till 10 O'Clock, to-morrow Morning.

House of Representatives
Tuesday November 22. 1864

House Met pursuant to adjournment

And was Called to order by the Clerk in the absence of the Speaker

Mr Chambers was elected Speaker pro tem during the absence of Mr Speaker Crawford, till Thursday next, who was called away by the illness of his Mother -

Prayer by the Rev Mr C. A. Parker of the House

Journal was Read and approved.

Call of the Counties.

—

Bills were introduced

By Mr Foster

To appropriate eight thousand dollars to pay the Members and Officers of the present Session.

By Mr Lawson

To Regulate the working on public roads in Kalb County

Which Bills were severally Read the first time forthwith and passed -

By Mr Faircloth

To Amend an act therein named

By Mr Merrick

To divorce James J. W. Langford from his wife Martha A. S. Langford

By Mr Coleman

For the protection of Stock

By Mr Cumming

To extend the time within which Official Bonds
must be filed

By Mr Chapman

To Incorporate the Orphans' Home of the Synod
of Alabama

By Mr John Moore

To Amend Section 1681 of the Code.

Which Bills were Severally read twice and Refered to the Judiciary Committee.

By Mr Modawell

To Amend An Act entitled An act To render more efficient, the System of Free Public Schools in the State of Alabama, approved 14th Feby 1854.

Which Bill was Read twice and Refered to the Committee on Education.

Mr Batten introduced a Joint Resolution to authorize the employment of a Clerk by the Joint Committee to examine the Acts and doings of the Quarter Master General

which was adopted.

On Motion of Mr Batten.

Messrs Fannin and Modawell were added to the Committee on Confederate Relations.

Message from the Senate by Mr McMorgan

Senate Nov 22 1864

Mr Speaker.

The Senate has originated and passed the following

Bills:

For the protection of Executors, Administrators, Guardians and Trustees

For the Relief of O. C. C. Brown Tax Collector of Bibb County

To Amend the Charter of the Town of Gainesville.

To Amend Section 2526 of the Code

To give jurisdiction in Certain Cases to the Probate Judge or Probate Court of Walker County

To Repeal Section 3565 of the Code

For the Relief of Bartlett Owen of Calhoun County

To authorize Guardians, Executors and Administrators to Sell State and Confederate Bonds upon Orders of Judges of Probate.

Also, has passed House Joint Resolution

In relation to Impressments and the Schedule of prices fixed by Confederate Commissioners.

Message from the Governor by J. H. Judkins Jr Private Secretary.

Mr Speaker

I am directed by His Excellency the Governor, to lay before the Honorable House of Representatives, his Message and accompanying Report.

His Excellency the Governor has approved the Bills which originated in the House of Representatives of the following titles:

An Act for the Relief of Alexander Carleton of Marengo County

Executive Department of Ala.
November 22. 1864

To the General Assembly of the State of Alabama:

I have the honor to transmit to you Copies of the Report of the Commissioners appointed to examine the Books, Accounts and vouchers of the State Treasurer, Comptroller, Superintendent of Education, Quarter Master General and Military Auditor of the State.

This Report was delayed in Consequence of the Sickness of one of the Commissioners. It was made to me last Saturday, but could not be Copied in time to be sent to the General Assembly on that day.

T. H Watts Gov of Ala.

Reports from Standing Committees

Mr Dawson from the Military Committee

Reported a Bill

To Amend An act therein named,

which Bill was read twice

Mr Cooper moved to Recommit the Bill with instructions to Report a bill Making it the duty of each Congressional District in the State to furnish a pro-rata number of their County Reserves to serve alternately in guarding prisoners taken and kept in this State by the Confederate Army.

Which motion was lost, and the bill was read a third time and passed.

Mr Parsons from the Judiciary Committee reported favorably with an Amendment to the Bill

To authorize the issue of letters of Administration in a Certain Case.

Which Amendment was adopted and the Bill read a third time and passed.

Also, reported favorably to Bills,

To Remove the Administration of the Estate of Charles T. Calloway from Wilcox to Butler County

To Amend the Charter of the City of Mobile

And also, favorably to the Senate Bills.

For the Relief of Ann A. Zachary

Which Bills were severally read a third time and passed.

Mr Beppners from the Same Committee reported favorably with an Amendment to the Senate Bill

To authorize the Estate of Thomas H. Herndon deceased to be kept together by the Administrator

Which Amendment was adopted and the Bill read a third time and passed.

Also, reported a Substitute for the Joint Resolution

To Amend the Constitution

which Substitute was adopted and Ordered to a Second reading.

Mr Cumming from the Same Committee, reported favorably to the Bill.

To Amend and explain a Certain Act therein named.

which Bill was read a third time and passed.

Mr Chapman from the Same Committee reported adversely to the proposition to permit the General Assembly to remain in Session as long as the public business requires it necessary.

which Report was Concurred in.

Also, reported favorably to the Bill

For the Relief of Thomas Kelly

which Bill was read a third time and passed.

Yeas 72
Nays 0-

Those who voted in the Affirmative are Messrs Armstrong, J. W. Ashe, Atkinson, Beard, Bell, Bowman, Bottom, Bishop, Brandon, Brooks, Bryan, Chamberlain, Chapman, Charlton, Clarke, Cobb, Coleman, Cooper, Cottle, Cox, Cumming, J. M. Davis, M. L. Davis, Dawson, Dunn, Ellis, Franklin, Fowle, Gaffard, Gardner, Gibson, Green, Grantham, Hollis, Howard, Jones, Keenan, Kilpatrick, Lassiter, Leeper, Logan, Magee, Malone, Mamorse, May, Merrick, Modawell, John Moore, John G. Moore, Morrow, Moulton, Mc Alexander, McCain, Mc Innis, McLellan, Mc Lennon, Ogburn, Orr, Parish, C. A. Parker, Parsons, Price, Robinson, Seay, Sims, Sibley, Speller, Taylor, Towles, Tourgee, Vincent, Williams and Wolff-72.

Mr Lassiter from the Committee on Ways and Means reported adversely to the Bill

To Amend the Revenue Laws of this State

which Report was Concurred in.

Mr Jones from the Committee on Ways and Means, reported favorably to the Bill

To increase the pay of Tax Collectors in Certain Cases

Mr Price offered the following Amendment.

Provided, That the provisions of this Act Shall not apply to any Tax Collector who is not by age or physical disability exempt from Confederate Conscription.

Mr. C. Mr Parker moved to lay the whole Subject on the table which motion was lost.

Mr. Lamar moved to amend as follows:

Provided That no Tax Collector whose Commissions Amount to fifteen hundred dollars Shall be entitled to the benefits of this Act.

Mr Madewell moved to lay Said Amendment on the table which motion was lost.

Yeas 34
Nays 43.

Those who voted in the Affirmative are Messrs Armstrong, Bell, Berner, Brandon, Bryan, Chapman, Chisolm, Clarke, Cobb, Coleman, Cottle, Crenshaw, Curran, Foster, Green, Howard Kilpatrick, Lewis, Ligon, Malone, Mar, Madewell, Markham, McAlexander, McCabe, McLellan, McLemore, Nisbet, Orr, Robinson, Seay, Taylor, Vaughan and Wolff—34

Those who voted in the Negative are Messrs Ashurst, Atkinson, Bolton, Bishop, Brooks, Carlisle, Chambers, Charlton, Cooper, Cox, J. W. Davis, W. S. Davis, Kent, Ellis, Freeman, Gafford, Gardner, Gibson, Greathouse, Hollis, Jones, Keenan, Lamar, Leeper, Mangum, Manasco, John G. Moore, Morrow, McInnis, Osborne, Parish, C. A. Parker, Parsons, Price, Sims, Sykes, Towles, Vincent and Williamson—43.

House refused to adopt the Amendment,

The question then recurred on Mr Price's Amendment, which

On Motion of Mr Kilpatrick was laid on the table.

Yeas 44
Nays 23.

Those who voted in the Affirmative are Messrs Armstrong, G. W. Ashe, Beard, Berner, Brooks, Carlisle, Chambers, Chapman, Charlton, Clarke, Cobb, Coleman, Cooper, Cottle, Crenshaw, J. W. Davis, W. S. Davis, Ellis, Gardner, Gibson, Green, Greathouse, Hollis, Kilpatrick, Leeper, Lewis, Ligon, Malone, Manasco, May, Merrick, Madewell, John Moore, John G. Moore, McAlexander, Markham, McLellan, McLemore, Nisbet, Orr, Robinson, Seay, Sykes and Towles—44.

Those who voted in the Negative are Messrs: Ashurst, Atkinson, Bell, Bethea, Bishop, Christian, Dawson, Faucette, Foster, Gaffard, Howard, Kenan, Lawler, Mangum, Morrow, McInnis, Osborne, Parish, C. A. Parker, Price, Taylor, Vaughan, Vincent and Williams—23.

Mr C. A. Parker moved to lay the Bill on the table which motion was lost.

Mr Crimmins moved to amend as follows:

Provided, That Tax Collectors shall only be entitled to and receive Such Mileage once during each Tax year

which on Motion was laid on the table.

Mr Cooper moved the previous question

which Motion was lost.

And the Bill was ordered to a third Reading—

Letter from Capt John Travis inviting an Inspection of the "Travis Gun" was read and laid on the table—

Mr Price from the Committee on Ways and Means reported a Substitute for the Bill

To Consolidate the Offices of Tax Assessor and Tax Collector in Wake County

which Substitute was adopted and the Bill read a third time and passed.

Mr Kilpatrick offered the following Resolution which was adopted:

Resolved

That the Military Committee be, and it is hereby instructed to enquire into the Manner in which the Militia lately on duty at Raleigh was furloughed; the reason why they were made to pay for their furloughs if such was the case; and to whom the Money for said furloughs went; and to whom it was paid by the Soldiers Composing said Militia; and the said Committee is further instructed to bring such persons and papers before it as may be necessary for a thorough investigation of this Subject and Report the result thereof to this House at the earliest day practicable—

Mr Cooper introduced Joint Resolutions

Urging the payment of Officers and Privates by Confede-
rate Authorities

which were Read and adopted-

Mr Parsons offered the following Resolutions which were adopted:

Resolved

1st- That His Excellency the Governor be, and he is hereby re-
quested to furnish this House with a Statement Containing the names of all
persons exempted by him from Confederate Military Service in each County in this
State, together with the ground or Cause of Such exemption.

2nd- A Statement Shewing how much Salt has been receiv-
ed from persons who have been exempted from Confederate or State Military
Service, from whom and by whom received; when received and what price was
allowed for it, or if no price was paid or allowed, on what terms it was re-
ceived; how much Salt each person exempted or detailed has delivered and
the date of his exemption or detail.

Mr Osborne at his own request, was excused from Serving on the
Committee on Education and Mr John G. Moon, Mr Cummings was added
to Said Committee.

On motion

House then adjourned till 10 O'Clock to morrow Morning.

House of Representatives
Wednesday November 23, 1864

House met pursuant to adjournment

Prayer by the Rev Mr Cattell

Journal was Read, Corrected and Approved.

Mr Speaker laid before the House the Report of the Commissioners appointed by the Governor to examine the Offices of the State Treasurer, Comptroller, Superintendent of Education, Quarter Master General and Military Auditor which was Referred to the Committee on Ways and Means.

Call of the Counties

Bills were Introduced

By Mr Howard

For the Relief of Mary Ann White of Autauga County.

To Amend Section 1023 of the Code.

By Mr Chambers

For the Relief of Widows in Certain Cases

By Mr McLean

To Amend Section 799 of the Code

By Mr Vincent

" To Amend the Criminal Laws of this State.

By Mr McCain

To Amend Section 1005 of the Code

By Mr Bryan

For the Relief of Thomas P. Randle of Macon County

By Mr M. L. Davis

For the Relief of Executors, Administrators and Guardians

By Mr Moulton

To increase the fees of Certain Officers therein named

By Mr Taylor

To Amend Section 1942 of the Code

By Mr Bethea

For the Relief of Talluda Brockman

By Mr Sleeper

To Regulate the trial of indictments under Sections 3173 and 3174 of the Code of Alabama

which Bills were severally read twice and Referred to the Judiciary Committee,

By Mr Jones

For the Relief of the Heirs of R. H. Thayer

By Mr Ashurst

To Repeal an Act therein named

By Mr Manasco

For the Relief of the Citizens of Walker County

which Bills were Severally read thru & on motion forthwith and referred-

By Mr Cooper

To Compensate Sundry Citizens of Cherokee County for Fire Arms furnished the Command of Capt James M. Clifton in 1861.

which bill was read twice and Referred to the Committee on Ways and Means

By Mr McCain

To Amend Section 14 of 2nd Article of the School Laws

which Bill was Read twice and Referred to the Committee on Education

By Mr Medaweld

To Amend the Laws in relation to Elections in this State

which Bill was Read twice and Referred to the Committee on Privileges and Elections

By Mr Magee

To Incorporate the Pioneer Express Company

which Bill was Read twice and Referred to the Committee on Corporations.

By Mr Nisbet

For the Relief of the Wills Valley Rail Road Company,

which bill was Read twice and Referred to the Committee on Internal Improvements.

Message from the Senate by Mr Morgan

Senate Nov 23. 1864

Mr Speaker,

The Senate has originated and passed the following Bills:

For the Benefit of the Military Aid Society of Mobile

To Repeal in part An Ordinance to provide for the Military defence of the State of Alabama adopted Janry 19, 1861

To Change the time for the Regular Meeting of the General Assembly of the State of Alabama

To Supply the Soldiers from the State of Alabama, prisoners in the United States with Clothing and provisions

And passed House Bills

To amend Section 2679 of the Code

To Regulate the fee of the Judge of Probate of Perry County

For the Relief of Wm B. Macdonell of Marengo County

To increase the Salary of the Judge of the City Court of Mobile

To Remove the Administration of the Estate of Jonathan C. Farley from the County of Macon to the County of Dallas,

For the Relief of Thomas H. Mahorn Sheriff of Macon County

To equalize the Salaries of Clerks in the State and Circuit Departments

To make a Certain Act applicable to Sumter County

To authorize the Commissioners Court of Autauga County to expend certain Monies herein named

To increase the fees of County Officers in Franklin County

To authorize the Removal of the estate of John H. Walker from Lowndes County to Dallas County

For the Relief of Samuel A. Fitts Administrator of William Fitts deceased.

And Passed House Joint Resolution

To provide for Receipts in payment of Taxes and other public dues

And Rejected House Bill

To authorize Wm M. McElrath, David F. Sawyer and Francis L. Brandon to build a Toll Bridge across Chattooga River.

Senate Bills

For the Relief of C. C. C. Brown Tax Collector of Bibb County

To Amend the Charter of the Town of Gainesville

Were Read three times forthwith and passed.

To Authorize Guardians, Executors and Administrators to Sell State and Confederate Bonds upon Orders of Judges of Probate

To Repeal Section 3565 of the Code

To give jurisdiction in Certain Cases to the Probate Judge or Probate Court of Walker County

To Amend Section 2526 of the Code

For the protection of Executors, Administrators, Guardians and Trustees

To Change the time for the Regular Meeting of the General Assembly of the State of Alabama

Were Red twice and Referred to the Judiciary Committee

For the Relief of Bartlett Green of Cachoma County

To Supply the Soldiers from the State of Alabama-prisoners in the United States, with Clothing and provisions

Were Red twice and Referred to the Committee on Ways and Means

For the Benefit of the Military Aid Society of Mobile

Were Red twice and Referred to the Committee on Ways and Means.

To Repeal in part "An Ordinance to provide for the Military Defence of the State of Alabama adopted January 19, 1861

was Read twice and Referred to the Military Committee.

Mr Parsons offered the following Resolution which was adopted,

Resolved,

That the Treasurer of this State be, and he is hereby requested to furnish this House with a Statement Showing what Amount of Money has been paid out of the Treasury under each Act Making Appropriations for Military purposes, Since the Meeting of the Convention of the State of Alabama; and what Amount remains in the Treasury under each of Said Acts; on whose warrant or Order the Same was paid; the date and Amount of Said Warrant or Order; in whose favor the Same was drawn; to whom and when the Same was paid

2nd, A Similar Statement with reference to each of the Acts Making appropriation for Cotton and Woolen Cards; and for the Support of Indigent families of Soldiers; and for the purchase of Shoes.

Mr Graves offered the following Resolution which was adopted;

Resolved

That the Governor be requested to inform this House, of the Number of Cadets at the University of Alabama over the Age of 17 years; and by what Authority they are So Kept.

Reports from Standing Committees

Mr Cooper from the Committee on Ways and Means Reported a Substitute for the Bill

To provide immediate assistance to families who have been rendered destitute of the Means of Subsistence in the Counties of Cherokee, DeKalb and Morgan, by the public enemy

which Substitute was adopted and the Bill Read a third time and passed, Ordered forthwith to the Senate,

Yeas 75
Nays 1

Those who voted in the affirmative are Messrs; Armstrong, G. W. Ashe, Ashurst, Atkinson, Beard, Bell, Bennett, Bishop, Bradley, Brandon, Brooks, Bryan, Carlisle, Chambers, Chapman, Charlton, Chisolm, Clarke, Cobb, Coleman, Cooper, Cottle, Cox, Cummings, J. W. Davis, Dawson, Dent, Ellis, Francis, Forbes, Gafford, Gardner, Gibson, Graves, Greathouse, Hood, Hollis, Howard Jones, Keenan, Kilpatrick, Lassiter, Lesseps, Lewis, Ligon, Magee, Malone,

Manasco, May Merrick, Medaweld, John Moon, Jno G Moon, Morrow, Moulton, McAlexander, McCain, McInnis, McLellan, McLemore, Nisbet, Oglesby, Orr, Parish, C.A. Parker, Parsons, Price, Sims, Sibley, Sykes, Tonsil, Vanzandt, Vincent, White and Wolff—72

Those who voted in the Negative are Messrs Williams—1—

Mr Gardner from the Same Committee Reported favorably to the Bill

For the Relief of A. J. Fletcher, Tax Collector of Covington County

which Bill was Read a third time and passed—

Mr Cooper from the Committee on Internal Improvements Reported favorably to the Bill

To Amend the Charter of the Alabama and Mississippi River Railroad Company

which Bill was Read a third time and passed.

Mr Benners from the Military Committee, Reported adversely to the Bill

To Amend the Militia Law of this State

which Report was Concurred in.

Also, from the Judiciary Committee, Reported adversely to the proposition of requiring the Tax Collectors of the various Counties, to Specify and describe the Lands of the Tax payer in his Receipt.

Also, adversely to the Bill

To authorize Executors, Administrators, Trustees and Guardians to Sell Bonds and other Securities in Certain Cases.

Also, adversely to the Bill

To Regulate Judicial proceedings in Certain Cases.

which Reports were Concurred in.

Also, favorably to the Bill

To Legalize and Construe An act approved 30th January 1869 entitled An act to Construe Section 1738 of the Code

which Bill was Read a third time and Passed—

Mr Parsons from the Same Committee, Reported favorably to the Senate Bill

To extend to the Southern Chancery Division, the provisions of An Act entitled "An Act to Regulate the Courts of the Middle Chancery Division during the existing War" approved Nov 19. 1863.

which Bill was Read a third time and passed.

Also, favorably with Amendment, to the Senate Bill

For the Relief of Executors, Administrators, Guardians and Trustees in Certain Cases

which Amendment was adopted and the Bill read a third time and passed.

Mr Chapman from the Same Committee Reported adversely to the Bill

To change the time of Meeting of the General Assembly

House Refused to Concur in the Report.

Mr Lewis moved to Amend as follows:

Amend So that the Legislature Meet on the first Thursday in November.

Mr Parsons moved to Amend the Amendment by Substituting "first thursday after the Second Monday"

On Motion of Mr Clarke, the whole Subject was laid on the table.

Mr Chapman from the Same Committee, Reported adversely to the Senate Bill

For the Summary trial of Slaves in Certain Capital Cases.

Which Report was Concurred in.

Mr Dawson from the Same Committee, Reported adversely to the Senate Bill.

To Amend Section 1869 of the Code.
In relation to Sales of land by order of Probate Courts for the payment of debts

Which Reports was Concurred in.

Also, favorably with Amendment, to the Senate Bill

To Amend Sections 857 and 863 of the Code

and for other purposes

Which Amendment was adopted and the Bill read a third time and passed.

Mr Clark from the Same Committee, Reported favorably with an Amendment, to the Bill.

To Compel persons engaged in the Manufacture of Salt petre, to enclose their works

Which Amendment was adopted and the Bill read a third time and passed.

Mr Moulton from the Same Committee, Reported a Substitute for the Bill

To Repeal "An act to prevent Gaming in this State"

approved Dec. 3. 1863.

On Motion of Mr Bethea, it was postponed till 11 O' Clock to-Morrow and Made Special order for that hour.

Also, adversely to the Bill

To increase the Salaries and fees of Certain officers therein named.

Which Report was Concurred in.

Mr Parsons introduced a Bill

To Regulate the Treasury Department

Which Bill was Read thrice and Referred to the Joint Select Committee of which Mr Bethea is Chairman

On Motion of Mr Bethea, Joint Resolution introduced by the Chambers.

In Response to the action of the Convention of Governors at Augusta

were Referred to the Committee of Confederate Relations.

General Orders.

Joint Resolutions to Amend the Constitution

were Read a Second time and ordered to a third Reading.

Engrossed Bill

To increase the pay of Tax Collectors in Certain

Cases

was postponed till 11 O' Clock, to-morrow.

Mr McLaurin offered the following Resolution which was adopted;

Resolved,

That the Committee on Education be instructed to enquire into the expediency of providing by Law for the education of the Orphans and Children of deceased and destitute Soldiers; and Report by Bill or otherwise, to this House.

Mr Clark introduced Joint Resolution

In relation to the Suspension of the Writ of Habeas

Corpus

Mr Bettis moved to adjourn till 10 O' Clock, to-morrow

Morning

which Motion was Lost.

Mr Fairein moved to strike out the Second Section.

Mr Parson moved to lay Mr Fairein's Motion on the table.

Mr Bettis moved to adjourn till 10 O' Clock to-mor-

row Morning

which Motion was Lost.

Mr Parson then withdrew his Motion to lay on the table.

On motion of Mr Prior

House adjourned till 10 O' Clock, to-morrow Morning.

House of Representatives
Thursday November 24. 1864

House met pursuant to adjournment.

Prayer by the Rev Mr Bell of the House.
Journal was Read and approved

On motion of Mr Clarke, the Call of the Counties was suspended to take up the Joint Resolution
In Relation to the Suspension of the writ of Habeas Corpus

Said Joint Resolutions were taken up. the question being on Mr Hammin's Motion to Strike out the 2nd Section.

On Motion of Mr Chambers, the Resolutions were laid on the table and 133 Copies ordered to be printed.

Call of the Counties

Bills were Introduced

By Mr Speaker Crosthwaite (Mr Bettis in the Chair)

To prevent the demoralizations of Slaves + Free persons of Color

By Mr Magee

To Amend "An act to preserve the property of Non Residents" approved Nov 30. 1863

which Bills were Read twice and Referred to the Committee on Judiciary.

By Mr Foster

(with petition) For the Relief of R. L. Puckett.

which was Read twice and Referred to the Committee on Propositions and Grievances

By Mr Vanzandt

To Amend the Revenue Laws of this State

which was Read thrice and Referred to the Committee on Ways and Means.

By Mr Ogburn

To increase the fee of Justices of the Peace and Constables in Montgomery County

which was Read thrice and Referred to the delegation from Montgomery.

By Mr Chapman

For the Relief of B. F. Garrison Tax Collector of Perry County

which was Read three times forthwith and passed—

Mr Speaker Crenshaw (Mr Bethea in the Chair) presented two petitions of Seventy Citizens of Butler County in relation to the Distillation of Sorghum Seed

which were Referred to the Committee on Ways and Means.

Reports from Standing Committees

Mr Benners from the Military Committee, Reported adversely to the Bill

To exempt Millers from Military Service in this State

Have Refused to Concur in the Report

Mr Dawson Moved to Amend as follows which was Carried

Provided, Such Keepers of Mills shall not Charge More than one eighth toll for grinding.

Bill was then Read a third time and passed.

At 11 O' Clock the Special Order for that hour Came up, it being the Substitute of the Judiciary Committee for the Bill

To Repeal "An act to prevent Gaming in this State" approved Dec 3. 1863

The question being on the adoption of the Substitute.

Mr Cooper moved to Strike out $500 and insert $5.000: and to Strike out $5000 and insert $50.000 when they occur

which Motion was lost.

Mr McInnis moved to Amend as follows:

"Provided, That all fines assessed for violation of the above Law be required to be collected in Specie or its equivalent."

which Amendment on Motion of Mr Ogbourne was laid on the table.

Mr Cooper moved to Amend as follows:

"And be it further enacted, That the Same penalties which are imposed by this act upon the Dealer Shall apply to and be imposed upon those who bet at any Faro Bank"

On Motion of Mr Coleman, the Bill and Amendment were laid on the table.

Mr Benners from the Judiciary Committee, Reported adversely to the Bills

To Amend an Act therein named

A. B. Langford

To divorce James J. M. Langford from his wife Martha

which Reports were Concurred in.

Mr Moulton from the Same Committe Reported favorably to the Bill.

To Regulate Judicial procedings against Railroad Companies and to Amend an act therein named

which Bill was Read a third time and passed.

Mr Parsons from the Same Committe, Reported favorably to the Bill from the Senate

For the Relief of the Administration on the estate of James T. Brock of Chambers County deceased.

which Bill was Read a third time and passed.

Mr Chapman from the Same Committe, Reported favorably with an Amendment to the Bill

To Remove the Administration of the estate of William Bledsoe from Pike County to Montgomery County

which Amendment was adopted and the Bill read a third time and passed.

Mr Taylor from the Same Committe, Reported favorably to the Bill

To Suspend the operations of Certain Acts therein named, until otherwise provided by Law.

which Bill was Read a third time and passed.

Message from the Senate by Mr Morgan

Senate Nov 24. 1864

Mr Speaker

The Senate has originated and passed the following Bills

In Relation to Tolls at Centreville Bridge

To extend the provision of An act to Regulate the fees of the Judge of Probate of Chambers County approved 6th October, 1864, and An act entitled An act for the Relief of certain Officers in Sumter County approved November 8th, 1862, to the County of Randolph.

To Amend An act entitled "An act in Relation to the Officers of Court" approved Nov 14, 1862.

To extend the powers of Probate Judges in certain Cases.

To Amend An act entitled An act to prohibit the distillation of grain in the State of Alabama, except under the direction and Controlly of the Governor, approved Dec 8th, 1862.

Message from the Governor by J. H. Dalton Jr. Private Secretary:

Mr Speaker.

I am directed by His Excellency, the Governor to deliver to the Honorable House of Representatives, his Message in Reply to Resolution asking information as to Number of Cadets at University over the age of 17 years.

Executive Department of Alabama
Montgomery Ala. Nov 24. 1864.

Hon Walter H. Crenshaw
Speaker of the House of Representatives
Sir:

I have received through Albert Elmore Esq. Clerk of the House of Representatives, a Copy of a Resolution of that Body, requesting the Governor to inform the House, the Number of Cadets of the University of Alabama, over the age of 17 years and by what authority they are So Kept.

I am unable to furnish the information requested without Correspondence with the President of the University. I have written to him on the Subject and So Soon as I receive his reply, will give the information requested.

I have the honor to be
Very Respectfully
Your Obdt Svt.
T. H. Watts
Gov. of Alabama.

General Orders.

Joint Resolution To Amend the Constitution

Was Read a third time and passed

Yeas 76
Nays 1

Those who voted in the Affirmative are Mess:rs Speaker Armstrong, G.W. Ashe, Ashurst, Atkinson, Beard, Bell, Berrien, Bethea, Brandon, Brooks, Bryan, Carlisle, Chambers, Chapman, Charlton, Chisolm, Clarke, Cobb, Coleman, Cooper, Cottle, Cox, Cumming, J.W. Davis, N.L. Davis, Dawson, Dent, Ellis, Freeman, Foster, Gaffard, Gardner, Gibson, Graves, Greathouse, Hall, Hill, Howard, Howell, Jones, Kenan, Kilpatrick, Lamar, Leeper, Lewis, Ligon, Magee, Malone, Manning, May, Merrick, Medowell, John Moore, Morrow, Newton, McAlexander, McCabe, McInnis, McLellan, Nisbet, Ogburn, Orr, Parish, C.A. Parker, Parsons, Price, Seay, Sims, Sibley, Sykes, Taylor, Vanzandt, Vincent, White, Williams, and Wolff—76.
Those who voted in the Negative are Mess:rs Head—1.

Mr Clark from the Judiciary Committee Reported adversely to the Bill

For the protection of Stock

Mr Ogburne moved to Suspend the business before the House, to ask leave of absence for Mr Dent
which Motion was Carried.

Leave of absence was granted to Mr Dent for Six days.

Mr Dawson moved to adjourn till 10 O'Clock, to-morrow Morning
which Motion was Lost.

House Refused to Concur in the Adverse Report of the Committee.

Mr Dawson offered the following Amendment to the Bill:

Provided The provisions of this act Shall not apply to owners of Slaves absent from home in the Military Service of the State or of the Confederate States or in the absence of the overseer of any owner of Slaves in the Military Service of the State or Confederate States

Mr Graves Moved to Amend Said Amendment as follows,

"Or Widows who have been made by procuring an Overseer"

Mr Coleman Moved the Previous Question
which was not Sustained

Yeas 37
Nays 39.

Those who voted in the Affirmative are Messrs Ashmun, Beard, Bell, Benson, Bradley, Brandon, Brooks, Carlisle, Chapman, Charlton, Cobb, Coleman, Con. J. W. Davis, Wm L. Davis, Ellis, Gaffert, Gibson, Hall, Howell, Lewis, Logan, Magee, Malone, May, John Moore, McInnis, McLellan, Ogburne, Orr, C A. Parker, Parish, Seay, Sibley, Vanzandt, White and Wilkinson — 37

Those who voted in the Negative are Messrs Speaker, Armstrong, G. W. Ashe, Atkinson, Bethea, Bryan, Chandler, Clisby, Clarke, Cooper, Cotth, Cumming, Dawson, Fannin, Gardner, Green, Heathcote, Hollis, Howard, Keenan, Kilpatrick, Lawton, Leper, Manning, Merrick, Mcdonell, John G. Moore, Morrison, Mendlin, McAlexander, McCain, McLennan, Nesbit, Parsons, Price, Sims, Tyler, Vincent and Wolff — 39.

Question being first on Mr Dawson's Amendment.

On Motion,

House adjourned till 10 O's Clock to-morrow Morning.

House of Representatives
Friday November 25, 1864

House met pursuant to adjournment,
Prayer by Rev. John B. Taylor -
Journal was Read and approved.

On motion of Mr Lawler the Call of the Counties was Suspended to enable him to make a Report from the Committee on Ways and Means

Mr Lawler from Said Committee, Reported a bill

To amend the Revenue Laws of this State

which Bill was Read twice and Made Special Order for 11 O'Clock to-Morrow Morning.

On Motion of Mr C. A. Parker,

Have Recommended the adoption of the Resolution Reported by the Committee on Ways and Means to the Resolution proposing a law in Aid for the Support of the Indigent families of Soldiers.

C A Parker

On Motion of Mr C.A. Parker, the Rejection Reported by Committee on the Table.

Mr C. A. Parker moved to Refer the Resolution to a Select Committee Composed of One from each Congressional District

which Motion, on Motion of Mr Price was Laid on the table.

On Motion of Mr Price, the Resolution was Laid on the Table -

Call of the Counties

Mr Speaker Creighton (Mr Chancellor in the Chair) presented a Petition of Sundry Citizens

Which was Referred to the Committee on Roads Bridges and Ferries.

Bills were Introduced

By Mr Cooper

To authorize the Judge of Probate of Choctaw County to admit to probate the Nuncupative will of John F. Conner

By Mr Karmon

To incorporate the Selma Savings Company

By Mr Parsons

For the Relief of Margaret Gutherie of Talladega County

which Bills were Read twice and Referred to the Judiciary Committee

By Mr Bradley

To aid Indigent families of Madison County

which bill was Read three times forthwith and passed—

By Mr Bettes

(with Account) To pay W. S. Barlow for Stationery furnished the Stat

which bill was Read three times forthwith and passed—

By Mr Parsons

To provide for the withdrawal of the public Lands belonging to this State from Sale and Market.

which Bill was Read twice and Referred to the Committee on Public Lands

Message from the Senate by Mr Morgan

Senate Nov 25. 1864

Mr Speaker,

The Senate has passed House Joint Resolution

In Relation to the Subsistence and pay of the County

Reserves

and has originated and passed the following Bills;

For the Relief of Wm H Terrell Executor &c

To amend "An act authorizing Francisco Ricard Wm H. Robinson to receive funds due Indigent families of Soldiers in Jackson County" approved Oct. 6. 1864

To Confer jurisdiction on the Probate Court of Marengo County.

In relation to the City Court of Montgomery.

To increase the Compensation of County Treasurers

To amend and forever the appropriation Made by the General Appropriation for the Support of the Indigent families of Soldiers,

To Amend Section 3668 of the Code.

Senate Bills

To extend the powers of Probate Judges in certain Cases

To Amend an act in relation to the Officers of Court, approved November 14, 1862

Was Severally Read thrice and Referred to the Judiciary Committee.

In Relation to the Tolls at Centreville Bridge

Was Read thrice Sent to the House and passed.

To Amend an act to prohibit the distillation of grain in the State of Alabama except under the direction and Authority of the Governor approved Dec. 8, 1862

Was Read thrice and Referred to the Committee on Ways and Means.

To extend the provision of an act to regulate the fees of the Judge of Probate of Chambers County approved 6th October 1864 and an act for the Relief of certain Officers in Sumter County approved Nov 8, 1862 to the County of Randolph &c

was Read three times Forthwith and passed -

House Resumed the Consideration of the Bill

For the protection of Stock

The question being on the Amendment of Mr Dawson

which Amendment on Motion of Mr Coleman
was laid on the table.

Mr Clark moved to Amend as follows:

"Provided, The provisions of this law shall not apply to the Slaves of Persons whose Guardians fail to employ Owners of Said Slaves."

which Amendment was lost.

Mr Chambers offered the following Amendment:

"And provided further that it shall be established to the Satisfaction of the Court or Jury trying the Case, that the owner of Said Slave, did not Sufficiently feed his Slaves or patrol his premises?

Mr Sykes moved to amend as follows:

After the words "Slave or Slaves" in the 2nd line, add "dog or dogs"

In the 3rd line, after the word "Stealing", add "or destroying"

In the 4th line, after the word "Slaves", add "dog or dogs".

Mr Coleman moved the Previous Question

And the question being,
Shall the Main question be now put? it was decided in the affirmative.

Yeas 39
Nays 36.

Those who voted in the Affirmative are Messrs Armstrong, G. W. Ashe, Beard, Bell, Bennett, Bishop, Bradley, Brigden, Brooks, Carlisle, Chapman, Chastain, Cobb, Coleman, Cox, J. W. Davis, M. L. D. Davis, Gibbs, Frazier, Gafford, Gardner, Gibson, Head, Howell, Jones, Mann, Merrick, Johnson, Moore, M. Reed, M. Sellers, Osborne, Orr Parish Robbins, Seay, Sibley, Townsend, White

and Williams — 37

Those who voted in the Negative are Messrs: Bethea, Bryan, Chambers, Chisolm, Clarke, Cooper, Cottle, Cummings, Dawson, Fannin, Graves, Greathouse, Hollis, Howard, Kennedy, Kilpatrick, Lowndes, Leeper, Lewis, Logan, Mague, Malone, Medaniell, John G. Moore, Morrow, Moulton, McAlexander, McCain, Nesbet, C. A. Parker, Parsons, Price, Sims, Sykes, Taylor, Towles and Wolff — 36.

Bill was ordered to a third Reading.

Engrossed Bill

To increase the pay of Tax Collectors in certain Cases,

was taken up when

On motion of Mr Cumming, it was laid on the table.

Senate Bills

To Confer Jurisdiction on the Probate Court of Ma-

rengo County

was Read twice and Referred to the Judiciary Committee with instruction to Report a general bill.

To increase the Compensation of County Treasurers

To guard and protect the appropriations made by the General Assembly of this State for the Support of the families of Indigent Soldiers

To Amend Section 3568 of the Code in Relation to witnesses before Grand Juries approved Feby 8th, 1858.

For the Relief of Wm H Terrell Executor &c

was Read twice and Referred to the Judiciary Committee.

In Relation to the City Court of Montgomery

was Read twice and Ordered to a third Reading

To Amend an Act Authorizing Francisco Rice and Wm H. Robinson to receive funds due Indigent families of Soldiers of Jackson County — approved October 1864

was Read three times forthwith and Passed —

Reports from Standing Committees

Mr Cooper from the Judiciary Committee

to whom was Referred the Communication of Gov. De Salle,

Reported a Substitute entitled A Bill

To change the Rule of evidence in actions for

Torts &c

which was adopted and bill Read twice and Ordered to a third Reading.

Mr Dawson from the Same Committee Reported favorably to the Bill:

To Amend Section 1023 of the Code.

which Bill was Read a thirth time and Passed.

Mr Parsons from the Same Committee Reported favorably to the Senate Bill

To Amend Section 2526 of the Code.

which Bill was Read a third time and Passed.

Mr Moulton from the Same Committee Reported favorably to the Bill

To Amend the Criminal Laws of the State

which Bill was Read a thirth time and Passed.

Mr Clarke from the Same Committee Reported adversely to the Senate Bill

To Repeal Section 3565 of the Code

which Report was Concurred in.

Also, Reported adversely, to the Bill

To Amend Section 1005 of the Code.

which Report was Concurred in.

Mr Taylor from the Same Committee Reported favorably to the Bill

To Amend Section 1942 of the Code.

which Bill was Read a third time and passed.

Mr Chapman from the Same Committee Reported favorably to the Bill

For the Relief of Executors, Administrators and Guardians

which was ordered to a third Reading

Mr McAlexander from the Same Committee Reported adversely to the Senate Bill

To change the time for the Regular Meeting of the General Assembly of the State of Alabama

which Report was Concurred in.

Also, Reported favorably to this Bill

To Regulate the trial of indictments under Sections 3173 and 3174 of the Code of Alabama

which Bill was ordered to a third Reading

Also, Reported Adversely to the Bill

To Amend Section 799 of the Code.

which Report was Concurred in.

Also, Reported adversely to the Bill

To legalize the last will and testament of Charlotte Loper deceased

which on Motion of Mr Lewis was laid on the table.

Bill

Mr Cumming from the Joint Committee Reported favorably to the Bill

To extend the time within which Official Bonds must be filed

which Bill was Read a third time and passed.

Mr Cumming introduced a Bill

For the Relief of Tax Collectors in this State.

which was Read twice.

Mr Ogburne Moved to lay the Bill on the table.

which Motion was Lost.

On Motion of Mr Lewis, the Bill was Amended as follows:

Section 2. Be it further enacted, That Sheriffs for Carrying Convicts to the Penitentiary shall be allowed the same Compensation as herein allowed to Tax Collectors; or from one County to another.

Mr Lawler Moved to Amend as follows:

Provided that no Tax Collector whose Compensation under existing Laws Amounts to two thousand dollars, shall be entitled to the benefits of this Act.

which on Motion of Mr Kilpatrick, was Laid on the table.

Year 46
Nays 30

Those who voted in the Affirmative are Messrs Atkinson, Beard, Bell, Bowman, Brooks, Brayton, Chambers, Chapman, Chisolm, Clark, Cobb, Coleman, Cottle, Cox, Cumming, Dawson, Foster, Gardner, Groves, Howard, Howell, Kilpatrick, Leper, Lewis, Magee, Mays, Merrick, Mitchell, Macdowell, John Moore, Munroe, Mc Alexander, Mc Sellar, Mc Simms, Nisbet, Ogburne, Orr, C. A. Parker, Robinson, Seay, Sibley, Sykes, Taylor, Vanzandt, Williams and Wolff—46.

Those who voted in the Negative are Messrs Speaker, Armstrong, G. M. Clarke, Bethea, Bishop, Brandon, Charlton, Cooper, J. W. Davis, M. L. Davis, Ellis, Finney, Gafford, Gibson, Greathouse, Head, Keenan, Lawler, Ligon, Malone, Morrow, McCain, Mc Innis, Parish, Parsons, Price, Sims, Tomlin, Vincent, and White—30.

On Motion of Mr Leper, the Bill was amended as follows:

Add, where it requires the affidavit of the Tax Collector, the words, "or his Agent Carrying the Same"

Bill was ordered to a third Reading,

Mr Osborne from Select Committee, Reported favorably with Amendments to the bill

To increase the fees of Justices of the Peace and Constables in Montgomery County

which Amendments were adopted, the Bill Read a third time and passed.

Mr Chambers from the Joint Committee on Revision of the Joint Rules

Reported the following Amendments which were adopted;

Amend the 8th Joint Rule, by adding at the end thereof the following words, to wit;

"And all Messages between the two Houses Shall be in writing and Read by the Messenger at the Bar of the House receiving the Same.

And the following Rules;

12. When Committees of Conference are appointed, all questions before them Shall be decided by a Concurrent vote of each Committee Separately; and the presence of a Majority of each Committee Shall be required to transact business.

13. When the two Houses are in Convention, Appeal May be taken from the Ruling of the Presiding Officer by any Member of the Convention, which Appeal Shall be decided by the Convention without debate.

14. Upon the demand of any ten Members of the Convention, the Yeas and Nays Shall be recorded on any question.

which Report was adopted.

Mr Dawson offered the following Resolution which was adopted;

Resolved

That the Committee on Ways and Means be instructed to enquire into the expediency of Making an appropriation for the benefit of the Exchanged prisoners upon their reaching Richmond or other points of exchange, and to Report a Bill or otherwise, or by amending the Senate Bill appropriating $500.000 for the benefit of our prisoners in United States prisons.

Leave of absence was granted to Mr May also, to Mr McLean till Tuesday next.

On Motion

House then adjourned till 10 O'Clock to-morrow Morning.

House of Representatives
Saturday November 26: 1864

House Met pursuant to adjournment
Prayer by the Rev Mr Greathouse of the House
Journal was Read and approved

Call of the Counties

Bills were Introduced

By Mr Vanzandt

Looking to the Education of the Orphans of Soldiers

which Bill was Read twice and Referred to the Committee on Education.

By Mr Chambers

To Regulate the Distillation of Grain in this State

By Mr Bell

To Authorize the County Commissioners to appoint Supply Agents.

which Bills was Read twice and Referred to the Committee on Ways and Means.

By Mr Merrick

To Authorize the County Recorder of Lake County to elect a Major

which Bill was Read twice and Referred to the Military Committee.

By Mr Bell

To Repeal all Laws Suspending Section 1583 of the Code.

By Mr Dawson.

To Amend Section 651 of the Code.

By Mr Chapman

To Rescind a certain Contract therein named.

which Bills were Read twice and Refered to the Judiciary Committee.

By Mr Cobb

To Amend An Act for the protection of the Citizens of Fayette County

which Bill was Read three times forthwith and passed.

Mr Williams presented a Petition

Of William Gamble

which was Refered to the Committee on Public Lands.

Mr Bolton presented the Memorial

of Matthews & Co

which was Refered to the Committee on Salt Supply.

Mr. Lawler introduced Joint Resolutions

Of the General Assembly of the State of Alabama, in Relation to the powers and duties of the Confederate Government.

On Motion of Mr Greenwing, they were Laid on the table and 1[2]3 Copies ordered to be printed.

Reports from Standing Committees.

Mr Benners from the Military Committee, Reported favorably with an Amendment to the Senate Bill

To Repeal in part, An Ordinance to provide for the Military Defence of the State of Alabama Adopted Janry 19. 1861

which Amendment was adopted and the Bill Read a third time and passed.

Also, Reported the following Resolution;

Resolved,

That the Senate Concurring, the two Houses Shall Meet in Convention on Thursday the 1st day of December Next, in the Hall of the House at the hour of 12 for the election of an Adjutant and Inspector General of the Militia of the State of Alabama,

which Resolution was adopted.

Mr Parsons from the Judiciary Committee Reported favorably with Amendment to the Senate Bill

For the protection of Executors, Administrators, Guardians and Trustees

which Amendments were adopted and the Bill Read a third time and passed-

Also favorably with Amendments to the Senate Bill

To authorize Executors, Administrators, and Guardians to Sell State and Confederate Bonds upon Order of Judges of Probate.

which Amendments were adopted and the Bill Read a third time and passed.

Also, adversely to the Bills

For the Relief of Mary Ann White of Tuskaloosa County

For the Relief of Thomas P. Randle of Macon County

which Reports were Concurred in.

Also favorably to the Bill

For the Relief of Talula Brockman

which Bill was Read a third time and passed-

Mr Chapman from the Same Committee Reported favorably with Amendments to the Bill

To Amend An act to prevent the property of Non-Residents appraised Nov 30. 1863

which Amendments were adopted and the Bill Read a third time and passed.

Mr Dawson from the Same Committee, Reported adversely to the Senate Bill

To Confer jurisdiction in Certain Cases on the Probate Judge or Probate Court of Walker County

which Report was Concurred in.

Mr Bryan offered the following Resolution which was adopted;

Resolved,

That the use of the Hall of this House be tendered Capt B. F. Blount, a recently returned prisoner, on Monday evening 28th instant, for the purpose of delivering an Address upon the Subject of the Condition of our prisoners at the North.

Message from the Senate by Mr Morgan Asst Secretary

Senate Nov 26 1864

Mr Speaker,

The Senate Concurs in the Report of the Joint Committee on the Rules of the two Houses when in Convention

And has passed Seven Bills of the following titles

For the Relief of A. J. Fletcher Tax Collector of Covington County

To Amend the Charter of the Alabama and Mississippi Rivers Railroad Company

To Repeal An Act therein named.

To Remove the Administration of the estate of William Bledsoe from Pike County to Montgomery County.

To authorize the issue of letters of Administration in a certain Case

To Regulate the working of public roads in Dallas County.

To appropriate eight thousand dollars to pay the Members and Officers of the General Assembly of the present Session.

And adopted Joint Resolutions urging the payment of Officers and privates by Confederate Authorities.

And adopted the Resolution of the House authorizing the Joint Select Committee to examine the Quarter Master General's Office, to employ a Clerk.

The Senate Concurs in the Amendments of the House to Senate Bill 6,

To amend Sections 857 and 863 of the Code and for other purposes.

For the Relief of Executors, Administrators, Guardians and Trustees in Certain Cases.

To authorize the estate of Thomas H. Herndon deceased, to be kept together by the Administrators.

And has originated and passed the following Bills:

To put it in the power of Soldiers from Alabama to vote in Congressional and Presidential elections

To reform & the Report of Trustees of Free Public Schools.

To increase the Compensation for taking Runaway Slaves.

To allow Plaintiffs in Attachments to be witnesses in certain Cases.

At 11 O'Clock, the Special Order Came up, it being the Bill,

To Amend the Revenue Laws of this State.

Mr. Chambers offered the following Amendment which was adopted:

Section 4. Be it further enacted, That the Tax on Auction Sales is hereby reduced one half of the Amount now fixed by Law.

Which Amendment was on Motion of Mr Cobb amended as follows

Provided, That no Auctioneer availing himself of the Benefits of this Act shall Charge a Commission of more than ten per Cent for Sales.

Mr Benner offered the following Amendment

"No tax shall be assessed on Negro property which has been impressed by the Confederate Government, unless such property has been returned to and is in possession of the Owner at the time of Assessment"

Which Amendment on Motion of Mr Price was Amended as follows

"Or unless the Owner has been paid for the Same, by the Confederate States Government or its officers or Agents" xxxx

Mr Benner Amendment as Amended was then lost

Mr Sypher offered the following Amendment

Section ___ Be it further enacted, That whenever the property of any Tax payer in any County in this State has been injured or destroyed by the Federal or Confederate forces, or the owner thereof has been temporarily deprived of the use or Occupancy thereof, or of the Means of Cultivating the Same, by reason of the presence or proximity of the Federal or Confederate forces, the Assessment on the entire property of Said Tax payer thus injured or destroyed, May be reduced in proportion to the damage Sustained; or the Tax thereon, May be reduced in the Rates of the entire Assessment by the Board of County Commissioners, on Satisfactory evidence Submitted to them by the owner or Agent of Said property or by the County Tax Assessor.

Mr Bradley offered the following Amendment to Mr Sypher's Amendment which was adopted,

"Provided, That the operation of this act Shall in no way affect the provisions of the Act approved March 3, 1865 for the Relief of Freedmen &c. now in the Bureau"

And the Amendment thus Amended was adopted,

Mr Leeper offered the following Amendment which was lost,

"That the provisions of this Act which exempts from taxation Negroes who have escaped to or have been Captured by the enemy Shall apply to Slaves who have been temporarily or Constructively by the Government and taken out of the possession of the owner."

On Motion

House then adjourned till 10 O'Clock Monday Morning—

Called to Committee

Mr. Mr. Mr. Mr. Mr.

Mr. Mr. Mr. Mr.

In H. Ho.

To the Hon. James Dun.

which was read and referred to the Committee on Internal Improvements.

By Mr Hitchcock introduced the following Resolution

Resolved by the Senate & H. of Reps. in Gen. Assembly.

Senate Nov 28. 1864

Mr Speaker

The Senate has passed House Bills of the following titles

To amend Section 1023 of the Code

To extend the time within which Official Bonds may be filed

And Original and Passed Bills,

To Repeal in part the Act entitled "An Act to Reorganize the Militia of the State of Alabama" approved August 29, 1863.

To provide for the publication of Notices in Legal proceedings.

For the Relief of Woodson Cocke of Perry County

To extend the time for filing Official bonds in certain Cases.

To Amend Article 4 Section 2 of the Revised School Law.

Message from the Governor by J. H. Sanders Jr. Private Secretary.

Mr Speaker,

I am directed by His Excellency the Governor, to lay before the House of Representatives, the Report of the Board of Trustees of the University of Alabama and the

Report of the Inspectors of the Alabama Penitentiary

His Excellency, the Governor has approved the Bills which Originated in the House of Representatives of the following titles:

An Act to increase the fees of County Officers in Franklin County.

An Act to Regulate the fees of the Judge of Probate of Perry County

An Act to Make a Certain Act applicable to Sumter County

An Act to equalize the Salaries of the Clerks in the State and Executive Departments

An Act to remove the Administration of the Estate of Jonathan C. Farley from the County of Macon to the County of Dallas.

Joint Resolution in relation to the Subsistence and keep of the County Prisoners

An Act to increase the Salary of the Judge of the City Court of Mobile

Joint Resolution to provide for Receipts in payment of Taxes and other public dues.

An Act for the Relief of Thomas H. Mabson Sheriff of Macon County

An Act to authorize the Removal of the estate of John H. Walker from Lowndes County to Dallas County

An Act for the Relief of Samuel A. Fitts Administrator of William Fitts deceased.

An Act to Amend Section 2695 of the Code of Alabama.

An Act to Authorize the Commissioners Court of Autauga County, to expend Certain Monies herein named.

His Excellency the Governor, directs me to lay before the House of Rep. his Message in Respect to two Resolutions passed by the House on 22nd Instant.

Report of the Board of Trustees of the University of Alabama was Referred to the Committee on the State University

Report of the Inspectors of the Alabama Penitentiary was Referred to the Committee on the Penitentiary

Mr Lawler gave notice that he would move to Reconsider the vote by which on Saturday, Mr Chambers Amendment to the Revenue bill, reducing the tax on Auction Sales, was adopted.

Mr Nagel gave notice that he would move to Reconsider the vote by which on Saturday, Mr Barnes Amendment to the Revenue bill was lost.

Reports from Standing Committees

Mr Chapman from the Judiciary Committee, Reported favorably to the Bill

To Rescind a Certain Contract therein named

which Bill was Read a third time and passed.

Mr. Dawson from the Same Committee Reported favorably with Amendment to the Senate Bill

To Confer jurisdiction in the Probate Court of Marengo County

Making a general bill.

which Amendment was adopted and the Bill passed.

Mr Parsons from the Same Committee, Reported adversely to the Senate bill

To Amend Section 3568 of the Code in relation to witness before Grand Juries, approved Feby 8. 1858.

which Report was Concurred in.

Mr Cumming from the Same Committee Reported favorably with Amendment to the Senate Bill

To guard and protect the Appropriation Made by the General Assembly of this State for the Support of the families of Indigent Soldiers.

which Report and Bill on Motion of Mr Searcy were laid on the table.

Mr. Benners from the Same Committee Reported favorably with Amendment to the Senate Bill

To Amend an act entitled "An act in relation to the Officers of Courts" approved Nov. 14. 1862

which Amendment was adopted and the bill ordered to a third Reading.

Mr. Reported adversely to the Bill

For the Relief of the Heirs of Joseph Kemp.

which Report

On Motion of Mr Frazier was laid on the table.

Mr Foster Moved to Suspend the Constitutional Rule in order to give the Bill a third Reading forthwith
which Motion was Lost.

Mr Owen then Refused to order the bill to a third Reading.

At 11 O'Clock, the House resumed Consideration of the Special Order which was pending at adjournment on Saturday, it being the Bill

To Amend the Revenue Laws of this State.

On motion of Mr Lander, the vote by which Mr Chambers' Amendment reducing the tax on Auction Sales was adopted, was Reconsidered.

The question then being on Mr Chambers' Amendment, it was Lost.

Mr Lander Moved to Amend as follows which was Carried:

Amend by inserting the words, "first and" in the 2nd line of the proviso to the 1st Section

Also Amend by inserting after the figures "1863" in the 10th line of 1st Section, the words, "On bonds of the Confederate States and of this State, and"

Mr Sims. offered the following Amendment which was adopted:

"Section 4. Be it further enacted. That paragraph 9. Section 2 of an Act entitled "An Act to Amend the Revenue Laws of this State" approved Dec. 9. 1862, be Amended by Striking out the words "purposely kept" in the 1st line.

Mr Sykes moved to Amend as follows viz

Strike out the words in 1st Section "except Cotton in the hands of the producer"

Which On motion of Mr Hamlin, was laid on the table.

Ayes 47
Nays 32.

Those who voted in the Affirmative are Messrs Speaker, Ashcraft, Atkinson, Bennett, Bethea, Brooks, Bryan, Carlisle, Chapman, Coleman, Cooper, Cobb, Cox, Crumpling, M. L. Davis, Dawson, Hamlin, Frazier, Gardner, Green, Greathouse, Grace, Hood, Hollis, Howard, Kenan, Kilpatrick, Lander, Leeper, Magee, May, Mitchell, Macdaniell, John Moore, Moulton, McCrea, Nisbet, Ogburne, Parish, C.H. Parker, Parsons, Price, Read, Silver, Taylor, Tomlin, and Williams—47.

Those who voted in the Negative are Messrs Armstrong, G. W. Ashe, Beard, Bowman, Bradley, Brandon, Charlton, Chisholm, Clark, Cobb, J. M. Davis, Ellis, Gibson, Howell, Lewis, Ligon, Malone, Manasco, Merrick, John G. Moore, Morrow, McAlexander, McLellan, Orr, Seay, Sibley, Sykes, Vaughan, Vincent, White and Wolff—32.

Mr Bowman offered the following Amendment which was adopted:

Section 5. Be it further enacted, That all Change Bills and Treasury Notes of this State which on their face, are receivable in the payment of all public dues, shall be received in the payment of all Taxes and other public dues in Conformity with the provisions on their face.

On motion of Mr Mayer, the House reconsidered the vote by which Mr Bowman's Amendment or Amendment was lost on Saturday

Mr Bowman moved to amend his Amendment by adding the words "for a period of twelve Months" after the word "suspended".

Mr Manasco moved to adjourn 'till 10 O'Clock to morrow Morning

which Motion was lost.

And the Bowman's Amendment was ~~adopted~~ Amendment was adopted.

Mr Price moved to lay the Amendment or Amended on the table which Motion was lost.

Yeas 35.
Nays 39.

Those who voted in the Affirmative are Messrs Armstrong, G. W. Ashe, Ashurst, Bell, Brandon, Bryan, Chambers, Charlton, Chisolm, Cobb, Cox, J. M. Davis, Ellis, Gibson, Greathouse, Howard, Howell, Lewis, Mayer, Malone, Merrick, Mitchell, Morrow, McAlexander, McCabe, Nisbet, Parish, C. A. Parker, Parsons, Price, Sims, Taylor, Vaughan, Vincent and Williams and Wolff—35.

Those who voted in the Negative are Messrs Speaker, Beard, Bowman, Bishop, Bradley, Brooks, Cailloh, Chapman, Clark, Cobb Coleman, Crumley, M. L. Davis, Dawson, Hancock, Hooks, Hafford, Gardner, Green, Green, Herd, Hollis, Keenon, Kilpatrick, Lecher, Ligon, Manasco, Mordecai, John Main, John G. Moore, McLellan, Orr, Reed, Robinson, Seay, Sibley, Sykes, Towles and White—39.

And Mr Bowman's Amendment or Amended was adopted

On Motion

House then adjourned 'till 10 O'Clock to morrow Morning.

4 — House of Representatives
Tuesday Nov 29, 1870

Mr Mallard offered the following Resolution
Read the Rule of Conduct of this City
Ordered to lie over one day

Mr Mallard offered the following Resolution
Relative to Education Fund

which was Read and adopted —

Mr Sykes gave notice that he would move to Reconsider the vote by which Mr Sims Amendment to the Revenue Bill was adopted

Mr M. L. Davis gave notice that he would move to Reconsider the vote by which the House refused to order to a third Reading, the Bill

Relative to Sale of Swamp Lands

Call of the Counties

Bills introduced

By Mr Leonard

To be Entitled an Act to Authorize Cities and Counties of this State to Issue Bonds in Aid of the Construction of Railroads

Which was read the first and second time

By Mr Speak Counties (Mr Cross in the Chair)

To be Entitled an Act to Authorize the Issue of Bonds in the Several Counties of this State

Which was read the third time

By Mr [illegible]

[illegible]

By Mr [illegible]

[illegible]

By Mr Lewis

To change the boundaries of the [illegible]

[illegible]

[illegible]

To [illegible]

By Mr [illegible]

[illegible]

By Mr Vaughan

To Amend An act to Amend the Revenue Laws of this State

which was Read twice and On Motion of Mr Lawler was laid on the table—

By Mr Dawson

To confer jurisdiction on the Probate Court of Dallas County in a certain Case therein Named.

By Mr Cobb

To Regulate Judicial Proceedings

By Mr May

To allow State and County Superintendents of Education to exchange Notes of Confederate Money

By Mr M. L. Davis

For the Relief of Thomas B. Leavitt of Marion County

By Mr Medaurell

For the protection of Citizens of Alabama

which Bills were Severally Read twice and Referred to the Judiciary Committee,

By Mr Benners

To Amend An act to aid in arresting deserters and Stragglers from the Army approved October 7, 1864

which Bill was Read twice and Referred to the Military Committee.

By Mr McAlexander

For the Relief of Indigent families of Soldiers in Jackson County

which was Read three times forthwith and passed

By Mr John Moore

For the Relief of Jeremiah Frail

which bill was Read twice and Referred to the Committee on Local Legislation

Mr Head introduced Joint Resolution

In relation to investigating the Management and Condition of the State Salt Works

which was Read twice and Referred to the Committee on Salt Supply.

Message from the Senate by Mr Morgan Asst. Secretary.

Senate Nov 29. 1864

Mr Speaker

The Senate has passed the following House Bills:

To Amend an act for the protection of the Citizens of Fayette County.

To Remove the Administration of the estate of Charles T. Manning from Wilcox to Butler County

To Suspend the operation of Certain Acts therein named until otherwise provided by Law.

For the Relief of Talitha Buchanan of Mobile County

To Regulate Judicial Proceedings against Railroad Companies and to Amend an act therein named.

To Amend and explain a Certain act therein named.

And has Amended the bills

To Amend Section 1942 of the Code as therein Shown and as Amended, passed the Same,

The Senate Concurs in the House Amendment to the Senate Bill

For the protection of Executors, Administrators, Guardians and Trustees

And Concurs in the first Amendment of the House to the Senate Bill

To authorize Guardians, Executors and Administrators to Sell State and Confederate Bonds, upon Order of Judge of Probate

And Rejects the Second Amendment of the House to the Same Bill

And Concurs in the Amendment of the House to the Senate Bill

To Repeal an Act Ordinance to provide for the Military defence of the State of Alabama Adopted 19th January 1861

And has originated and passed a bill

To Incorporate the "Orphans Home of East Alabama"

At 11 O'Clock, Consideration was Resumed, of the Bill

To Amend the Revenue Laws of this State.

On Motion of Mr Sykes, the House reconsidered the vote by which on Yesterday, Mr Sykes' Amendment Striking out the words "purposes kept" was adopted.

The Question then recurred on the adoption of Mr Sykes' Amendment.

Mr Sanders moved to add the word "Solvent" before "debts" which was Carried.

Mr Cumming Moved to Amend as follows:

Amend by Striking out the words "An additional tax of fifty per Cent upon" from the first Section of the bill.

Which Amendment on Motion of Mr Bell was laid on the table.

Yeas 52
Nays 19.

Those who voted in the Affirmative are Messrs Speaker, Armstrong, Atkinson, Bell, Bettera, Branden, Brooks, Carlisle, Chambers, Chapman, Chisolm, Clark, Cobb, Cooper, M.L. Davis, Dawson, Faucett, Gaffard, Gardner, Gibson, Greathouse, Green, Head, Hollis, Howard, Howell, Keenan, Kilpatrick, Lander, Magee, Malone, May, Jno Moore, Morrow, Moulton, Mc Alexander, McCain, Mc Lellan, Nisbet, Orr, Parish, C.A. Parker, Parsons, Price, Reed, Sims, Sykes, Taylor, Tombs, Vaingandt, Williams and Wolff—52.

Those who voted in the Negative are Messrs G.W. Ashe, Ashurst, Bennett, Bradley, Charlton, Coleman, Cobb, Cumming, J.M. Davis, Foster, Graves, Manning, Merrick, Mitchell, Modawell, Ogburn, Bray, Pearce and White—19.

Mr Lander Moved to Reconsider the vote adopting his Amendment adding "Solvent" before "debts"
Which Motion was Lost.

Mr Bettera offered the following Amendment

"Provided, That all Cotton Shall be assessed according to its Costs value"

Which Amendment, on Motion of Mr Bradley, was Laid on the table.

Upon a Suspension of the Constitutional Rule,
Bill was Read a third time and passed.

Yeas 57
Nays 19.

Those who voted in the Affirmative are Messrs: Speaker, Armstrong, G. W. Ashe, Atkinson, Beard, Bell, Brooks, Carlisle, Chambers, Chapman, Chisholm, Clark, Cooper, Con. M. L. Davis, Dawson, Ellis, Faucett, Gaffard, Gardner, Graves, Grantham, Green Hird, Hollis, Howard, Howell, Kenan, Kilpatrick, Lacoby, Leeper, Mager, May, John Moore, Morrow, Newton, McAlexander, McCain, McLellan, Nisbet, Orr, Parish, C. A. Parker, Parson, Price, Read, Robinson, Sims, Schley, Sykes, Taylor, Towles, Vanzandt, Vincent, White, Williams, Wolff—57
Those who voted in the Negative are Messrs: Ashurst, Beckum, Bethea, Bradley, Chastain, Cobb, Coleman, Cottle, Cummings, J. N. Davis, Foster, Gibson, Malone, Manasco, Merrick, Mitchell, Modawell, Ogburn, and Seay—19.

The Next Special Order was taken up, it being the Bill reported by the Committee on Ways and Means,

Making an Appropriation for the Support of the Indigent families of Soldiers in the Military Service from the State of Alabama

Mr Vanzandt offered the following Amendment:

Section 11. And be it further enacted, That this Act (and all former Acts Making appropriations for the Relief of indigent families of Soldiers) Must be So Construed as to give to Such indigent families which have Moved or May Move from one County or Beat to Another County or Beat in this State, the benefits under this (or any preceding) Act aforesaid as they were or Could be entitled, had no Such removal taken place.

Section 12. And be it further enacted, That families of Soldiers aforesaid, who own Slaves Capable of Making a Support for Such families, are not embraced in the provisions of this or any preceding Act aforesaid, but whenever it Can be Made to appear to the Satisfaction of the Court of County Commissioners of the proper County, that the family of any Soldier in our Army from this State is the owner of one or More Slaves and Said Slaves are incapable of Making a Support for Such family, and that the Said Slave or Slaves is the Chief reliance of Such family for a Support, then Such family Shall be entitled to the benefits of this and other Similar acts for Relief as aforesaid.

On Motion of Mr Chambers, the 2nd Section of Said Amendment was Stricken out.

The Question then Recurred on adopting the 1st Section of Said Amendment,

Mr Chapman moved to lay the 1st Section of the Amendment on the table

which Motion was lost.

On Motion of Mr Cumming. all of Said Section that applies to former Acts was Stricken out.

The Question then Recurred on the Adoption of Said Amendment as Amended

Mr Nisbet moved to Amend Said Amendment as follows:

Provided, That the person removing into the County where the provisions of this act are Claimed, Shall exhibit to the Judge of Probate, a Certificate from the Judge of Probate of the County from which they removed that they are Recipients of this fund in the County from which they removed and have not received their pro-rata Share for the year

On Motion of Mr Madewell all the Amendments were laid on the table.

Mr Gibson offered an Amendment but accepted the following Substitute for it offered by Mr Francis.

Amend Section providing for the appointment of two Commissioners in each County by prefixing:

"Provided That Said Commissioners Shall take an Oath faithfully and impartially to perform the duties imposed by the provisions of this act and all acts to which this is an Amendment and Shall receive _____ per day while employed in Said duties, ~~to be paid out of the fund~~ Set apart for Indigent families of Soldiers in Said County"

Mr Bethea moved to adjourn till 10 O'Clock to-morrow Morning which Motion was lost.

Mr Cumming moved to Amend Mr Gibson's Amendment by Striking out the words

"to be paid out of the fund Set apart for Indigent families of Soldiers in Said County"

and insert the words,

"to be paid out of the County Treasury"

which Amendment was adopted -

Mr Chapman moved to fill the blank with $15

Mr Madewell moved to amend as follows:

"Such Compensation as May be awarded by the County Commissioners"

which Amendment was lost.

The question then Recurring on the Motion to fill the Blank with $15

which Motion was lost.

Mr Bell moved to fill the Blank with $5-

Mr Clark moved to fill it with $10.

Mr Parsons moved to Recommit the bill.

Pending which On motion of Mr Foster,

House adjourned till 10 O'Clock to-morrow Morning.

House of Representatives
Wednesday November 30. 1864

House Met pursuant to adjournment

Prayer by the Rev. Mr Guthrie of the Synagogue of this City.

Journal was Read and approved.

On Motion of Mr Clark, the Call of the Counties was Suspended.

On Motion of Mr Clark Joint Resolution

In Relation to the Suspension of the writ of Habeas Corpus

was taken from the table.

The question was on the Motion of Mr Fanning to Strike out the 3rd Section

which Motion was lost.

Mr Chambers Moved to Strike out the words "simplified one" when they occur in the 1st Section

which Motion was lost.

Mr Bryan moved to Strike out the words "if ever"

which Motion was lost.

Mr Chisholm offered the following Amendments which was lost:

Amend by adding to the 1st Section.

"Unless when in Cases of Rebellion or Invasion, the public Safety May require it"

Mr Graves Moved to Strike out the 3rd Section

wh

Mr Reed Moved to Lay the Resolution on the table which Motion was lost;

Yeas 22
Nays 56

Those who voted in the Affirmative are Messrs Bethea, Brooks, Bryan, Chambers, Chapman, Chisholm, M.L. Davis, Ellis, Fanning, Foster, Gibson, Mager, May, Nisbet, Parish, C.A. Parker, Price, Reed, Taylor, Towles, Williams and Wolff — 22.

Those who voted in the Negative are Mess. Speaker, Armstrong, G. W. Ashe, Ashurst, Atkinson, Beard, Bell, Bennett, Bradley, Brandon, Bryan, Carlisle, Charlton, Clarke, Cobb, Coleman, Cooper, Cottle, Cox, Cumming, J. W. Davis, Dawson, Gafford, Gardner, Graves, Greathouse, Green, Heard, Hollis, Howell, Keenan, Kilpatrick, Lamar, Leeper, Ligon, Malone, Manasco, Merrick, Mitchell, Mordecai, John Moore, Jno G. Moore, Morrow, Moulton, McAlexander, McCain, McKellar, Orr, Parsons, Seay, Sims, Sibley, Sykes, Vaughan, Vincent, and White — 56

Mr Greathouse Moved to lay on the table, the Motion of Mr Graves. which Motion was Carried;

Yeas 42
Nays 38

Those who voted in the Affirmative are Mess; Armstrong, G. W. Ashe, Ashurst, Atkinson, Beard, Bell, Bradley, Brandon, Charlton, Clark, Cobb, Cooper, Cottle, Cox, Cumming, J. W. Davis, Greathouse, Green, Heard, Hollis, Howell, Lamar, Leeper, Lewis, Ligon, Malone, Manasco, Merrick, John G. Moore, Morrow, Moulton, McAlexander, McCain, Orr, Parsons, Seay, Sims, Sibley, Sykes, Vaughan, Vincent, and White — 42,
Those who voted in the Negative are Mess: Speaker, Bennett, Bethea, Brooks, Bryan, Bryon, Carlisle, Chambers, Chapman, Chisholm, Coleman, M. L. Davis, Dawson, Ellis, Fearnie, Forbes, Gafford, Gardner, Gibson, Graves, Keenan, Kilpatrick, Magee, Mar, Mitchell, Mordecai, John Moore, McKellar, Nisbet, Parish, C. A. Parker, Price, Read, Robinson, Taylor, Towles, Williams and Wolff — 38.

Message from the Senate by Mr Morgan Asst Secretary.

Senate Nov 30, 1864

Mr Speaker;

The Senate has originated and passed the following Bills,

To provide for the defence of the State,

To Repeal An Act entitled "An act to organize the Commissioners Courts of the several Counties of this State to furnish blanks to Tax Assessors"

To legalize the grant of Administration upon the estate of Major Bennett, deceased, in the Probate Court of Talladega County

To Amend An act to incorporate the Alabama Fire Marine and Insurance Company at Montgomery

For the Relief of J. C. J. Whiteside of Cherokee County

For the Relief of W. H. Fells Tax Collector of Cherokee County;

To Repeal the proviso to the 3rd Section of An act entitled "An Act the more effectually to Secure and Collect fines and forfeitures and for other purposes" approved Feby 25. 1860.

And has passed House Bills.

To Rescind a Certain Contract herein named.

To Reimburse indigent families of Soldiers in the County of Lawrence with funds of which they have been robbed by the enemy

For the Relief of B. F. Garrison, late Collector of Perry County

For the Relief of Thomas Kelly

And Amended as therein Shown and passed House bills.

To increase the fees of Justices of the Peace and Constables in Montgomery County and for other purposes

To increase the fees of the Jailor of Russell County

And passed House Joint Resolutions

To Amend the Constitution.

Mr Chambers offered the following Substitute for Mr Clark's Joint Resolutions;

Resolved by the Senate and House of Representatives of the State of Alabama in General Assembly Convened, 1st, That the powers conferred upon the Congress of the Confederate States of America, authorizing the Suspension of the writ of Habeas Corpus in Certain Cases, should be exercised with extreme Caution and only when the public Safety absolutely demands it.

2nd. Resolved, That the Governor be and he is hereby requested to Communicate Copies of the foregoing Resolution to our Senators and Representatives in Congress.

Which Substitute, On Motion of Mr Clark, was laid on the table;

Yeas 45
Nays 35

Those who voted in the Affirmative are Messrs; Speaker, Armstrong, G. W. Clark, Ashurst, Atkinson, Beard, Bell, Bradley, Braden, Chastain, Clark, Cobb, Cooper, Cottle, Cox, Cummings, J. M. Davis, Gaffard, Grantham, Green, Hollis, Howell, Keenan, Lauder, Leeper, Lewis, Ligon, Mabern, Manasses, Merrick, John G. Moore, Morrow, Moulton, McCord, McLellan, Orr, Parsons, Robinson, Seay, Sims, Sibley, Sykes, Vanzandt, Vincent and White — 45

Those who voted in the Negative are Messrs; Bennett, Bolton, Brooks, Bryan, Byars, Carlisle, Chamberlain, Chapman, Chisholm, Coleman, M. L. Davis, Dawson, Ellis, Flannigan, Foster, Gaffard, Gibson, Graves, Heard, Kilpatrick, Magee, May, Mitchell, Moddewell, John Moore, McAlexander, Nisbet, Parish, C. A. Parker, Price, Read, Taylor, Towles, Williams and Wolff — 35

Mr Graves Moved to Strike out the word "proposing" and insert the words "now proposed".

Mr Fannin Moved to Amend Said Amendment as follows:

Amend the 3rd Section by Striking out the word "proposing" and insert in lieu, the following.

"Not Strictly Conformable to the letter and Spirit of the Constitution"

to Come in at the end of the Resolution

Mr Sykes Moved the Previous Question which was not Sustained

Yeas 35,
Nays 41,

Those who voted in the Affirmative are Messrs; Armstrong, G. W. Ashe, Ashurst, Atkinson, Beard, Bell, Bradley, Brandon, Charlton, Clark, Cobb, Cooper, Cottle, Cox, Crenshaw, J. W. Davis, Greathouse, Howell, Lawler, Leper, Ligon, Malone, Manasco, Merrick, Morrow, McCain, Or. Parsons, Seay, Sims, Sibley, Sykes, Vaughan, Vincent and White—35—

Those who voted in the Negative are Messrs; Speaker, Beeman, Bethea, Bryan, Bryson, Carlisle, Chambers, Chapman, Chisholm, Coleman, M. L. Davis, Dawson, Ellis, Fannin, Foster, Gaffard, Gardner, Gibson, Green, Greene, Hollis, Keener, Kilpatrick, Magee, May, Mitchell, Modawell, John Moore, Moulton, McAlexander, McLellan, Nesbit, Parish, C. A. Parker, Price, Read, Robinson, Taylor, Towles, Williams and Wolff—41

The question then was on Mr Fannin's Amendment.

Mr Clark Moved to lay all the Amendments on the table which Motion was lost.

Yeas 38
Nays 39.

Those who voted in the Affirmative are Messrs; Armstrong, G. W. Ashe, Ashurst, Beard, Bell, Bradley, Brandon, Charlton, Clark, Cobb, Cooper, Cottle, Cox, Crenshaw, J. W. Davis, Greathouse, Green, Howell, Keener, Lawler, Leper, Ligon, Malone, Manasco, Merrick, John G. Moore, Morrow, Moulton, McCain, Or. Parsons, Seay, Sims, Sibley, Sykes, Vaughan, Vincent, and White—38.

Those who voted in the Negative are Messrs; Speaker, Beeman, Bethea, Brooks, Bryan, Bryson, Carlisle, Chambers, Chapman, Chisholm, Coleman, M. L. Davis, Ellis, Fannin, Foster, Gaffard, Gardner, Gibson, Green, Hollis, Kilpatrick, Magee, May, Mitchell, Modawell, John Moore, McAlexander, McLellan, Nesbit, Parish, C. A. Parker, Price, Read, Robinson, Taylor, Towles, Williams and Wolff—39.

The question being on Mr Fannin's Amendment.

Mr C. A. Parker Moved to adjourn till 3 P. M.
Mr Chambers Moved to adjourn till 10 O'Clock, to morrow Monday which was Carried and
House adjourned till that hour.

House of Representatives
Thursday December 1. 1864

House Met pursuant to adjournment

Prayer by the Rev Mr. McGrath of this City

Journal was Read and approved.

On Motion of Mr Odonnell, the Call of the Counties was Suspended to enable him to offer a Resolution

Mr. Odonnell offered the following Resolution

Resolved,

That with the Concurrence of the Senate the Speakers of the Senate and Speaker will adjourn without day on Saturday the 10th December at 4 O Clock P. M.

On Motion of Mr. Smith, the Resolution was recommitted to the Committee on 4 O Clock P. M. and standing 12 M.

On Motion of Mr. Chisholm, the Resolution was laid on the Table.

Mr Lauber Moved to Suspend the Call of the Counties to enable him to Make two Reports indicated by him.

Mr Clark Moved to Amend by also taking up Joint Resolution in relation to the Suspension of the Writ of Habeas Corpus

Mr Price Move to Amend so as to allow Committees generally to Make Reports

Which Motion was Carried.

Mr Lauber from the Committee on Ways and Means Reported a Substitute for the Senate Bill

To Supply the Soldiers from the State of Alabama, prisoners in the United States with Clothing and provisions.

Sections 1 and 2 of the Substitute were adopted,

Mr Groves Moved to Amend the 3rd Section by Striking So much as designates Wilson C. Bibb as said Agent, leaving the Governor to Make the Appointment

Which Motion was Carried.

Section 4 of the Substitute was adopted

On Motion of Mr Bell the name of Mr Bibb was Stricken out of Section 5.

On Motion of Mr Graves, the Same Name was Stricken out of the 6th Section.

Section 7 of the Substitute was adopted.

Mr Fannin offered the following Amendment which was adopted:

Section 8- Be it further enacted That Should a vacancy occur in the office of Agent provided by this act, the Governor Shall appoint an Agent to fill Said office who Shall before entering upon the duties of his Office, give bond as required of the Agent herein appointed.

The Substitute was then adopted.

Mr Cooper moved to Strike out $500.000 as the Amount of the Bond to be required of the Agent and insert $1.000.000

Which Motion was lost.

On Motion of Mr Lacoste, the last Section was Amended by adding after the word "dollars" the words,

"Or So much thereof as May be Necessary"

The Bill was Read a third time forthwith and passed.

Yeas 50
Nays 0-

Those who voted in the Affirmative are Messrs: Speaker, Armstrong, G. W. Ashe, Ashurst, Atkinson, Beard, Bell, Berrien, Bethea, Bishop, Brodie, Brantley, Brooks, Bryan, Bujac, Cailleh, Chanton, Chapman, Charlton, Chisholm, Clark, Cobb, Culpeper, Cooper, Cottle, Cox, Cumming, J. M. Davis, M. L. Davis, Dawson, Ellis, Fannin, Forster, Gafford, Gardner, Gibson, Graves, Grantham, Head, Hobbs, Howell, Jones, Keenan, Kilpatrick, Lamar, Leper, Lewis, Ligon, Mager, Malone, Manasco, May, Merrick, Mitchell, Woodward, John Moore, Morgan, Moulton, McAlexander, McCain, McInnis, McLellan, Nisbet, Orr, Parish, C. A. Parker, Parsons, Price, Reed, Scay, Sims, Sibley, Sapter, Taylor, Towles, Vanzandt, Vincent, Williams, and Wolff- 50

Message from the Senate by Mr Morgan Asst Secy

Senate Dec 1. 1864

Mr Speaker

The Senate has originated and passed the following Bills:

For the Relief of C. P. Zimmerman

To Confer jurisdiction upon the Confederate States over the lands belonging thereto in this State

Joint Resolution Against Reconstruction with the Federal Government of the United States

And Concurr in the Resolution of the House proposing to go into an election of An Adjutant and Inspector General of the Militia of the State of Alabama, on this day at 12 M.

Mr C. A. Parker offered the following new Rule, which lies over one day.

Resolved, That for the Remainder of the present Session, the House will Meet each day at 10 A.M. and adjourn at 1 P.M.; Meet at 3 P.M. unless otherwise decided by the House

At 12 O'Clock the Senate upon invitation, appeared in the Hall of the House when the two Houses in Joint Convention proceeded to the election of An Adjutant and Inspector General of Militia.

Nomination being in order,

Mr Clarke of the Senate, put the Name of Mr H. P. Watson of Montgomery, in Nomination

Mr Watson having received all the votes (104) Cast. Mr Speaker declared him duly and Constitutionally elected Adjutant and Inspector General of the Militia of the State of Alabama for the term prescribed by Law.

The Senate then retired to its Chamber.

Mr C. A. Parker moved to adjourn till 3 P.M.

Mr Clark moved to adjourn till 10 O'Clock to-morrow Morning.

Which Motions, were lost.

Mr Merren from the Committee on Enrolled Bills Reported the following Bills as correctly enrolled:

An Act for the Relief of Alexander Carleton of Marengo County

An Act to make a certain Act applicable to Sumter County

An Act to increase the fees of County Officers in Franklin County

An Act to equalize the Salaries of Clerks in the State and Executive Departments

An Act to Regulate the fees of the Judge of Probate of Perry County

An Act for the Relief of Mrs B. Markwell of Marengo County

An Act to authorize the Removal of the estate of John H Walker from Lowndes to Dallas County

An Act to Amend Section 2677 of the Code of Alabama

An Act to authorize the Commissioners Court of Autauga County to expend certain Monies therein named

An Act to increase the Salary of the Judge of the City Court of Mobile

An Act for the Relief of Samuel A. Fitts Administrator of Wm Fitts deceased.

An Act for the Relief of Thomas H. Mabson Sheriff of Macon County

Joint Resolution to provide for Receipts in payment of taxes and other public dues

An Act to Remove the Administration of the estate of Jonathan C. Farley deceased from the County of Macon to Dallas County.

Joint Resolution in relation to the Subsistence and pay of County Revenue

An Act to appropriate $80,000 to pay the Members and officers of the General Assembly of the present Session

Joint Resolution in relation to Improvements and the Schedule of prices fixed by Confederate Commissioners.

An Act for the Relief of A. J. Fletcher Tax Collector of Covington County

An Act to regulate the working on public roads in Calhoun County

An Act to Amend the Charter of the Alabama and Mississippi Rivers Railroad Company

An Act to Amend Section 1023 of the Code of Alabama

An Act to Repeal an Act therein named,

Joint Resolution regarding the payment of Officers and Privates by Confederate Authorities

An Act to Remove the Administration of the estate of Wm Bledsoe from Pike County to Montgomery County

An Act to authorize the issue of letters of Administration in a Certain Case,

An Act to Amend An Act for the protection of Citizens of Fayette County

An Act to Rescind a Certain Contract therein named

An Act for the Relief of Tallonda Brockman of Wetumpka Ala

An Act to Remove the Administration of the estate of Charles T. Calloway from Wilcox to Butler County.

The Special Order Came up, it being the Bill

Making an appropriation for the Support of Indigent families of Soldiers in the Military Service from the State of Alabama

The question being on Mr Parsons' Motion to Recommit the bill with instructions

Mr Parsons withdrew his Motion

Mr Cobb Moved to Commit the bill to the Committee of the whole House

Mr Foster Moved to adjourn till 4 O'Clock

Mr Chapman Moved to adjourn till 10 O'Clock to-morrow Morning

which Motion was lost

And Mr Foster's Motion was also lost,

On motion of Mr Lacaby, the Senate Bill

To guard and protect the Appropriation Made by the General Assembly of this State for the Support of Indigent families of Soldiers

was taken from the table and Recommitted

in the

House then adjourned till 10 O'Clock, to-morrow Morning.

House of Representatives
Friday December 2. 1864

Prayer by the Rev Mr Guthrie

Journal was Read and approved —

Mr William Beck Representative elect from Polk County appeared within the Bar of the House and was qualified by Chief Justice A. J. Walker and took his Seat

Leave of absence was granted to Messrs Fanning, Howard, McCain, Graham, Bishop and Brandon.

Mr Lawhon moved that the Call of the Counties be Suspended to enable him to Make a Report

Mr Chambers moved also to take up Senate Messages

Mr Parsons called for a division of the question

which was first taken on Mr Lawhons Motion which was Carried —

And then upon Mr Chambers to Modify So as to take up a certain Senate bill for the purpose of Reference which was Carried —

Mr Lawhon from the Committee on Ways and Means Reported a bill

To provide for any deficiency in the Treasury and for other purposes

which bill was Read twice.

Mr Chambers offered the following Amendment which was Lost:

Amend by adding at the end of the 8th Section,

Provided Nevertheless that the Governor shall have authority to sell bonds authorized heretofore, to be issued to half the Amount of such deficiency in the Treasury, whenever he can do so at a premium of not less than 100 per cent. if in his judgment it should be better for the interest of the State to do so, than to issue Treasury Notes.

On Motion of Mr Bradley, the Bill was amended as follows,

Be it enacted That no person or persons shall be employed by the Governor to Manufacture or sell up date or Sign Said Treasury Notes who is disabled to Military Service of the State or Confederate

Bill was then Read a third time and passed —

Senate Bill

To provide for the defense of the State
was Read twice and Referred to the Military Committee.

Mr Cooper offered the following Resolutions

Resolved 1st, That from and after the 3rd Instant, the House will Meet at 10 A. M and adjourn at 1 P. M; will Meet at 3 P. M and adjourn at 6 P. M.

Resolved, 2nd- That no new business Shall be Received from and after Wednesday Next unless with the Consent of 2/3 of the Members present.

Mr C. A. Parker Moved to Suspend the Call of the Counties to take up the Resolution which offered Yesterday in Relation to the Meeting and adjourning of the House

which Motion was Carried.

The Resolution of Mr C. A. Parker was taken up

On Motion of Mr Greenway, it was Amended as follows:

Strike out "Hereafter" and insert in its place

"On Monday next and thereafter during the present Session"

Mr Chambers Moved to Strike out "3 O' Clock" in the Resolution and insert 3½ O' Clock

which Motion was adopted.

And the Resolution as Amended was adopted.

On Motion of Mr Read, the Call of the Counties was Suspended to enable him to offer a Resolution,

Mr Read offered Joint Resolution providing that the Sale Committee of the two Houses act Jointly-

which was adopted and Sent to the Senate

On Motion of Mr Parsons, the Call of the Counties was Still further Suspended to allow Mr Cooper to Make a Report:

Mr Cooper from the Committee on Internal Improvements Reported favorably with Amendment to the Bill

To Amend An act in Relation to the Tennessee and Alabama Central Railroad Company,

Which Amendment was adopted and the Bill Read a third time and passed
Ordered forthwith to the Senate

Also Reported favorably to the Bill

For the Relief of the Wills Valley Railroad Company

Mr Parsons offered the following Amendment. ~~XXXXX XXXX XXXXXXXX~~

"Provided That the Central Railroad Company will accept the Same on account of its Ultimate Claim to the fund"

On Motion of Mr Parsons, Bill and Amendment were Referred to the Judiciary Committee

Message from the Senate by Mr Morgan Asst Secy.

Senate Dec 2. 1864

Mr Speaker,

The Senate has originated and passed the following Bills,

For the protection of the estates of deceased Minors and for other purposes.

To authorize the Probate Court of Walker County to grant Administration on Certain Estates.

And passed the following House Bills.

For the Relief of Jno Aspen and Collector of Autauga County

For the Relief of Jane Austell of Clarke County

To change the jurisdiction of the Administration of the estate of John Salzer deceased from Mobile to the County of Shelby

For the Relief of T. F. Samuel Sheriff of Tuscaloosa County

To Remove the Guardianship of A. A. Sherrett, Guardian of Wm W. Griffin and Mary R Griffin from Bibb County to Shelby County.

And has adopted the following Resolutions

Resolved by the Senate (the House concurring) that a Joint Committee of the two Houses be appointed, to Consist of Seven from each House, to take into Consideration, the State and Condition of the Country and the position that Alabama Shall occupy at the present Crisis and her new Altitude determination in the present Struggle for the Independence of the Confederate States; and Report Such an Address to the people of Alabama as the Said Committe may deem most proper on the Subject and occasion.

Messrs Bacon, Jackson, Reese, Rice of Ms. Grocer and Erwin on the Senate Committee.

Message from the Governor by J. M. Judkins Jr Private Secretary:

Mr Speaker,

I am directed by the Governor to lay before the House of Representatives, his Message in further Reply to Resolution of 22nd Ultimo with accompanying Report of Genl. P. H. Britton Secretary of State.

The Governor has approved the bills which originated in the House of Representatives, of the following titles:

An Act for the Relief of Wm B. Macdowell of Marengo County.

An Act to amend the Charter of the Alabama and Mississippi River Railroad Company.

An Act to regulate the working on public Roads in Dallas County.

An Act to Repeal an Act therein named.

An Act to Amend Section 1023 of the Code

An Act to appropriate $80,000 to pay the Members and Officers of the General Assembly of the present Session.

An Act for the Relief of A. J. Fletcher Tax Collector of Covington County

Joint Resolution in relation to Improvements and the Schedule of prices fixed by Confederate Commissioners

An Act to remove the Administration of the estate of Wm Pledger from Pike County to Montgomery County.

To authorize the issue of letters of Administration in a certain Case.

Joint Resolution relating to payment of Officers and servants of Confederate Authorities.

An Act to Remove the Administration of the estate of Charles T. Calloway from Wilcox to Butler County

An Act for the Relief of Tillman Brockman of Walker Co.

An Act to amend an Act for the protection of the Citizens of Fayette County

An Act to Rescind a Certain Contract therein Named.

Bills were Introduced

By Mr Chapman.

For the Relief of Burrell Johnson of Perry County

By Mr Cannon

To Continue Section 10 of the Act to Amend the Revenue Laws of this State approved Dec 9, 1862

By Mr Speaker (Mr Chambers in the Chair)

To authorize the Governor to purchase ground for enlarging the Capital Square

By Mr Morrow

To aid the Hospitals in Alabama

By Mr Coltt

To allow certain persons therein named to practice in this State

which Bills were severally Read twice and Referred to the Committee on Ways and Means

By Mr Maddox

To Amend Section 1961 of the Code.

By Mr Dawson

To Amend the Charter of the City of Selma

By Mr Browning

Declaring what Officers of this State are now liable to Conscription

By Mr Cobb

For the protection of the Credit of the State

By Mr Monette

To change the Criminal Laws of this State by Amending Sections 3127, 3128, 3129, and 3130 of the Code of Alabama

Also,

The more effectually to protect persons of Mixed blood in the Rights of person and property

By Mr Coleman

To authorize the Probate Judges to appoint General Guardians for their Respective Counties

By Mr Magee

For the Relief of Catherine Norton of Mobile County

By Mr Bryan

To Incorporate John G. Stokes for Certain Services Rendered the State

which Bills was Severally Read twice and Referred to the Judiciary Committee.

By Mr Bettis

To Amend an act approved 9th December 1862 and for other purposes.

which was Read twice and Referred to the Committee on Salt Supply.

By Mr Ogburne

To incorporate the Talladega Sulphur Springs Company

which Bill was Read twice and Referred to the Committee on Corporations.

By Mr Ogburne

To fix the Eastern Boundary of the City of Montgomery.

By Mr Clarke

For the Relief of the Probate Judge of Lawrence County

By Mr Bettis

To authorize M. G. Mariweather to erect a Gate across the Marler Road in Montgomery County

By Mr Graves

Declaring certain property therein named exempt from taxation

By Mr Mitchell

For the Relief of Greif A. Chambers Administrator

By Mr Mordaunt

To increase the Pay of Jurors and Witnesses

in Marengo County.

which Bills were Severally Read three times forthwith and passed—

By Mr Moulton

To authorize the Governor to purchase certain

Guns.

which bill was Read twice and Referred to the Military Committee,

By Mr McLemore

To authorize the Commissioners Court of

the County of Chambers to increase the Compensation of the Treasurer thereof.

which bill was Read twice and Referred to the Committee on Local Legislation,

By Mr Read

To Amend the Public School System of

this State,

which Bill was Read twice and Referred to the Committee on Education

By Mr John Moore

In Relation to the Receipt of Counterfeit

Confederate Treasury Notes by Certain public officers of this State.

By Mr John G. Moore

To Regulate the distribution of the Whiskey

and Alcohol under State Control

which Bills was Read thirdly and Referred to the Committee on Propositions and Grievances

By Mr Beckham

To provide Compensation for the County Commissioners of this State

which bill was Read thirdly

On Motion of Mr Parsons, it was Amended by inserting the words "Receiving" before the "word" expenses"

Mr M L Davis offered the following Amendment which was adopted

"except Such Commissioners as May elect to Receive the fees heretofore allowed by Law"

Mr Chambers offered the following Amendment which was adopted;

Amend by inserting after the word "expenses", the words, "which actually engaged in the discharge of their duties"

Bill was Read a third time forthwith and Passed.

By Mr Cooper

Joint Resolution

Relating to the Regimental flags of Alabama Soldiers.

which was Read and adopted.

By Mr Sibley.

For the Relief of John Clark Ex Collector of Marshall County

which was Read three times forthwith and passed-

Yeas 76

Nays 0-

Those who voted in the affirmative are Mayo Speaker, Armstrong, G. W. Ashe, Ashurst, Atkinson, Beard, Bell, Beckham, Bolton, Bishop, Bradley, Brandon, Brooks, Bush, Bryan, Bynum, Chambers, Chapman, Chastain, Chisholm, Clark, Cobb, Coleman, Cooper, Cox, Cromley, J. W. Davis, M. S. Davis, Dillon, Evans, Frost, Gardner, Gibson, Graves, Greathouse, Green, Hallen, Haven

Haven, Pickett, Lacey, Lesper, Mayo, McClellan, McCorkle, McLemore, Nisbet, Nolen, Parish, Cox, Parks, Phillips, Pickens, Pollard, Porter, Reed, Robertson, Scarg, Sellers, Sibley, Smith, Vancrief, and Williams—76.

Mr Orr presented a Petition

which was Referred to the Committee on Propositions and Grievances.

Mr Mc Alexander introduced Joint Resolutions

of thanks to the Ladies of Alabama

which was Read and adopted Unanimously.

Mr Parsons offered the following Resolution which was adopted;

Resolved. That the Judiciary Committee are hereby instructed to Report for the Consideration of the House, if in their judgment it is deemed advisable, a bill providing for the Sale of the five-fifths Reserved Stock in the Several Banks in this State

---

Mr Manasco offered the following Resolution which was lost;

Resolved That a Committee be appointed by the Honorable Speaker, Consisting of five Members of this House to Consider the propriety of Regulating the prices and fixing the value of all articles of prime necessity in this State; and that they Report by bill or otherwise

Mr Bell offered the following Resolution which was adopted;

Resolved, That the Committee on the State Bank and Branches, be instructed to enquire into the expediency of Selling all the assets belonging to the State Bank and Branches, and Report by Bill or otherwise as early as practicable.

Mr Cumming offered the following Resolution which was lost;

Resolved, That with the Concurrence of the Senate, the two Houses of the General Assembly will adjourn without day, on Wednesday the 7th Instant at 4 P. M.

Mr Chapman moved to adjourn till 4 P. M.

Mr Mc Sellon moved to adjourn till 10 O'Clock to-morrow Morning.

which Motion was lost,

Mr Mc Lemore moved to adjourn till 4 P. M. which was lost

Mr Bethea moved 9½ O'Clock to-morrow Morning which was also lost and Mr Chapman's Motion was adopted and

House adjourned till 4 P. M.

Afternoon Session

House met pursuant to adjournment

On Motion of Mr Chapman, the General Order was Suspended to allow Standing Committees to Report.

Reports from Standing Committees

Mr Benners from the Military Committee, Reported a Substitute for the Bill

To Amend an act to aid in arresting deserters and Stragglers from the Army passed Oct. 7, 1864

which Substitute was adopted.

Mr Greathouse Moved to take up the bill by Sections

which Motion was Carried

Mr Mordecai Moved to Amend by additional Sections as follows

That the Brig Commandant Shall appoint Some discreet person or Leader of Each Squad and no punishment Shall be inflicted on any Slave Unless by the Consent of Such Leader.

which Amendment was adopted.

Mr Chambers Moved to Amend by adding "And in no Case Shall a greater punishment be inflicted upon a Negro by Said patrol than 39 Lashes; and in Case of greater punishment being inflicted on any Negro by Said patrol, the Leader of the Squad Shall be guilty of a Misdemeanor and upon Conviction of which he Shall be fined in a Sum of not less than $50 Nor More than $500." which Amendment was adopted.

Bill was Read a third time and passed.

Also, from the Same Committee, Reported adversely to the Bill

To exempt County Commissioners from Service in the 2nd Class Militia.

which Report was Concurred in.

Also, from the Same Committee on the Resolution in regard to Repealing a bill to Repeal Certain portion of Section 9 of An Ordinance to provide for the Military defence of the State.

Reported ill inexpedient by reason of the bill heretofore Reported abolishing the offices of Adjutant and Inspector General and Assistant Adjutant General

which Report was Concurred in.

Mr Parsons from the Judiciary Committee Reported favorably with Amendment to the Bill

To Increase the fees of certain officers therein named.

which Amendment was adopted and the bill Read a third time and passed.

Also favorably to the Bill

To Confer jurisdiction on the Probate Court of Dallas County in a certain case therein named

which Bill was Read a third time and passed.

Also favorably to the Bill

To Amend Section 651 of the Code

which Bill was Read a third time and passed.

Also favorably to the Bill

To fix the price of the Reports of the Supreme Court.

which Bill was Read a third time and passed.

Also favorably to the Bill

To change the fines and forfeitures prescribed by the Code.

which Bill was Read a third time and passed.

Also favorably to the Senate Bill.

For the Relief of Wm. F. Farrell Executor &

which Bill was Read a third time and passed.

Also adversely to the Bill

To Amend An Act to regulate the interest upon debts in payment of which, Confederate Treasury notes may be tendered and Refused approved November 17, 1862

Which Report was Concurred in.

Also, adversely to the Bill

For the Relief of C. A. Costello Administration of the estate of Pierre D. Costello of Coffee County.

Which Report was Concurred in.

Mr. Moulton from the Same Committee, Reported favorably to the Senate Bill

To extend the powers of Probate Judges in certain Cases

Which Bill was Read a third time and passed.

Also, favorably with Amendments to the Bill,

To incorporate "The Orphans Home Association of the State of Alabama"

On motion of Mr Lawler, the 1st Amendment of the Committee was amended by Substituting for the word "Church" the word "Denomination of Christians"

The 1st Amendment of the Committee was adopted.

On Motion of Mr Lawler, the 2nd Amendment of the Committee to the 3rd Section was amended by adding the words "in Specie or its equivalent."

And the 2nd Amendment of the Committee thus Amended was adopted.

The 3rd, 4th and 5th Amendments of the Committee was adopted.

Mr Modawell offered the following Amendment to the 6th Amendment reported by the Committee,

"Any person who maliciously Carries or entices away any Child lawfully in possession of Said Association Shall be deemed guilty of a Misdemeanor, and on Conviction, be fined in any Sum not exceeding two thousand dollars and May be imprisoned in the County Jail for any term not exceeding twelve Months" . . . . .

On motion of Mr Bethune, the Bill and Amendment was Referred to a Select Committee of Five,

Messrs, Lowber, Modawell, Bell, Reed and C. A. Parker Constituted Said Committee,

On Motion then

House adjourned till 10 O'Clock, to-morrow Morning.

House of Representatives
Saturday December 3. 1864

House Met pursuant to adjournment

Prayer by the Rev. I. T. Tichenor of this City

Journal was Read and Approved.

On Motion of Mr Chapman, the Call of the Counties was Suspended to call Committee to Report.

Reports from Standing Committees

Mr Chapman from the Judiciary Committee, Reported favorably to the Bill

To Incorporate "The Orphans Home of the Synod of Alabama"

which Bill was Read a third time forthwith and passed.

Mr Taylor from the Same Committee, on the Resolution with regard to the Case of DeKalb County where Probate Judge has been Carried off by the public enemy, Reported it inexpedient to Legislate or take action in Relation thereto.

Which Report was Concurred in.

Also, Reported favorably to the bill

To establish the City Court of Selma

which Bill was Read a third time forthwith and passed.

Also, Reported a Substitute for the Bill

For the protection of the Citizens of Alabama,

which Substitute was adopted and the Bill Read a third time and passed.

Mr Clark from the Same Committee, Reported Adversely to the Senate Bill

To increase the Compensation of County Treasurers

Which Report was Concurred in.

Mr Chapman from the Same Committee, Reported favorably with Amendments to the Bill

To incorporate the Selma Savings Company

Which Amendments were adopted and the Bill Read a third time and passed.

Mr McAlexander from the Same Committee, Reported a Substitute for the Bill

To legalize the Marriage of Francis M. Williams and Elizabeth Prescott of Jefferson County

Which Substitute was adopted and the Bill Read a third time and passed.

Also, Reported favorably with Amendment to the Bill

For the Relief of Certain Tax-payers therein named

Which Amendment was adopted and the Bill Read a third time and passed.

Mr Benners from the Same Committee, Reported favorably with Amendment to the Bill

For the Relief of Margaret Guthrie of Talladega County.

Which Amendment was adopted and the Bill ordered to a third Reading.

Mr Chambers from the Committee on Confederate Relations, Reported a Substitute for Senate Joint Resolution, being

An Address to the people of Alabama

which was Read and 133 Copies ordered to be printed and made Special Order for 12 M. on Tuesday next.

Mr Cooper from the Committee on Ways and Means, Reported favorably to the Senate Bill

For the Relief of Bartlett Owen of Calhoun County

which Bill was Read a third time forthwith and passed

Yeas 79
Nays 0.

Those who voted in the Affirmative are Messrs Spencer, Armstrong, G. W. Ashe, J. P. Ashe, Ashurst, Beard, Bell, Bennett, Betton, Bishop, Bradley, Brooks, Bryan, Brown, Burch, Burkitt, Chapman, Charlton, Chisholm, Clarke, Cobb, Coleman, Cooper, Cottle, Cox, J. W. Davis, M. L. Davis, Dawson, Deal, Ellis, Evans, Foster, Gardner, Gibson, Green, Green, Head, Hollis, Howell, Jones, Keenan, Kilpatrick, Lawler, Locke, Lewis, Logan, Magee, Malone, Manasco, May, Merrick, Mitchell, Mordecai, Judge Moore, Morrow, Moulton, McAlexander, McDaniel, McKellar, McLemore, Nisbet, Osborne, Orr, Parish, G. A. Parker, Parsons, Price, Reed, Robinson, Scay, Sims, Sibley, Snyder, Towles, Vanzandt, Vincent, White, Williams and Wolff—79.

Mr from the same Committee, Reported adversely to the Senate Bill

To Supply the Soldiers from the State of Alabama with Clothing and for other purposes.

which Report and Bill on Motion of Mr McAlexander were laid on the table

Mr Lawler from the Committee on Ways and Means Reported back with Amendments the Bill

Making an appropriation for the support of the Indigent families of Soldiers in the Military Service, from the State of Alabama.

which Amendments were adopted.

Mr Benners offered the following Amendment to

Be it further enacted, That when families entitled to a distribution Share provided in this Act or under any former Act, when the funds are yet Unadministered, Shall remove from one County to Another or from an adjoining State, it Shall be the duty of the proper Agents at the next enumeration of indigent families, or when the list is revised, to include Such families So removing; and they Shall be entitled to a distribution Share in the Same Manner that the other indigent families of Soldiers are, at the Subsequent distribution to Such enumeration

Mr Parsons moved to Amend Said Amendment as follows, by adding;

And the family, So removing Shall be entitled to draw the unpaid distribution Share or Shares to which it would have been entitled in the County from which the family removed, for the remainder of Said year.

Which Amendment was adopted and the Amendment as Amended was also, adopted.

Bill was Read a third time forthwith and passed.

Yeas 80
Nays 0.

Those who voted in the Affirmative are: Messrs. Speaker, Armstrong, G. W. Ash, T. P. Ash, Beard, Bell, Benners, Belton, Bishop, Bradley, Brooks, Bryan, Bryan, Bush, Cavlish, Chambers, Chapman, Charlton, Chisholm, Clark, Cobb, Colemon, Cooper, Coffee, Cox, Creighton, J. N. Davis, M. L. Davis, Dawson, Earl, Ellis, Emas, Foster, Gardner, Gibson, Green, Greene, Head, Hollis, Jones, Keenan, Kilpatrick, Lamb, Sawyer, Lewis, Ligon, Magee, Malone, Manning, May, Merrick, Mitchell, Medaniel, John Moore, Jno G. Moore, Morrow, Moulton, McClendon, McInnis, McLellan, McLemore, Nisbet, Oglesby, Orr, Parish, C. A. Parker, Parsons, Price, Read, Roberts, Searcy, Sims, Sibley, Sykes, Towles, Vaughan, Vincent, Ware, Williams and Wolff—80

Mr Foster offered the following Resolution which was adopted:

Resolved, That with the Concurrence of the Senate, the two Houses of the General Assembly will Convene in the Hall of the House of Representatives, on Tuesday Next at 11 O'Clock, for the purpose of electing a State Treasurer, Comptroller of Public Accounts and Secretary of State.

Mr Sawyer from the Committee on Ways and Means, Reported favorably to the Bill

To provide for the withdrawal of the public roads belonging to this State from Sale and Market

Which on Motion of Mr Parsons was laid on the table.

Message from the Senate by Mr Morgan A.S. Secy

Senate Dec 3. 1864

Mr Speaker.

The Senate has originated and passed the following Bills:

To authorize a Settlement between the State and Joseph H. Bradford

To provide for the transfer of Chancery Cases when the Chancellor is interested therein and related to any of the parties thereto.

To authorize Executors to Sell property for State or Confederate Treasury Notes in Certain Cases.

To Incorporate the Alabama Savings Bank at Montgomery

In relation to Certain State Salt Works

To Incorporate the Second Montgomery Conference of the Methodist Episcopal Church South.

To Incorporate the Preachers Aid Society of the Second Montgomery Conference of the Methodist Episcopal Church South

To increase the powers of the County Commissioners of Pike County and for other purposes.

And has Substituted the House Substitute to the Senate Bill

To Supply the Soldiers from the State of Alabama serving in the United States, with Clothing and provisions

And Concurred in the Same, as Amended.

Message from the Governor by Mr J. H. Inslee Jr Private Secretary.

Mr Speaker

I am directed by the Governor to lay before the House of Representatives, his Message, relating to an act entitled "An act for the relief of Maimed Indigent Soldiers" approved October 7th. 1864

Executive Department of Alabama
Montgomery December 2. 1864

To the General Assembly
of the State of Alabama

On the 7th day of October, at the extra Session, You passed a bill "for the Relief of Maimed Indigent Soldiers" of Alabama; and authorized the

Governor to have furnished at the expense of the State, an Artificial leg to every Such Soldier, who Shall have lost or who may hereafter lose a leg in the Service of the Country. The 2nd Section of this Bill empowers the Governor to draw from the public Treasury, Money Sufficient to effect the object Contemplated in the 1st Section.

I have been in Correspondence with parties who propose to Make artificial legs, but have not yet Completed any Contract. Before doing so, I think it proper, to call your attention to the fact, that no appropriation of Money is Made by the act. As the Constitution declares that "No Money Shall be drawn from the treasury but in Consequence of an Appropriation Made by law" I do not See how I Can execute this law, unless you Make an appropriation.

I do not think that the general language of the 2nd Section of this Act is equivalent to an appropriation.

The purpose Contemplated by the Act, is one which Merits my warmest approbation, and will do honor to the heart and Mind of the Legislature. The failure to make the appropriation was doubtless the result of inadvertence.

In Carrying out this Law, it will be necessary for the Governor to appoint Some Skilled Surgeon to Superintend the work required, The Governor would probably, under the general language of the Law, have the power to Make Such appointment, but it would be better to leave nothing to doubtful Construction.

I respectfully ask your attention to this Matter,

Your Obedient Servant
T. H. Watts
Governor of Alabama

Mr Price from the Committee on Ways and Means Reported adversely to the Senate Bill

For the benefit of the Military Aid Society of Mobile

which Report was Concurred in.

Also Reported a Substitute for Joint Resolution

To aid in purchasing Shares Jones for Major General Forrest.

Mr Parsons offered the following Amendment which was adopted

"And the Same Shall be paid by the Comptroller's Warrant on the Treasurer drawn under the direction of the Governor"

On Motion of Mr Ogburn,

$10000 was Stricken out and $5.000 inserted.

Mr Cobb moved to Amend as follows

"And that for the purpose of Reimbursing the Treasury of this State, the Sum of ten per Cent. be Collected on the State Taxes of the Members of this General Assembly.

Which Amendment was laid on the table.

Yeas 59
Nays 12

Those who voted in the Affirmative are Messrs Speaker, G. W. Ashe, T. P. Ashe, Ashmore, Bell, Bethea, Bishop, Brooks, Bryan, Burgess, Carlisle, Chandler, Chapman, Chisholm, Clark, Coleman, Cooper, Cotten, Cox, Creecy, Dawson, Neal, Ellis, Evans, Gardner, Gibson, Green, Head, Hollis, Howell, Keenan, Kilpatrick, Lassiter, Leeper, Logan, Magee, Malone, May, Merrick, Mitchell, Medonell, John Moore, Jos. Moore, Morrow, Moulton, McAlexander, McInnis, McLellan, McLennan, Nisbet, Osborne, Ose, Parish, C. A. Parker, Parsons, Price, Robinson, Sykes—59.

Those who voted in the Negative are Messrs Benson, Bradley, Charlton, Cobb, J. W. Davis, M. L. Davis, Foster, Green, Taylor, Vanzandt, Vincent and Williams—12

Mr Cobb offered the following Amendment

Be it further enacted That we believe that the Soldiers under him are entitled to our Consideration and we hereby appropriate to each of his Soldiers, the Sum of ten dollars, to be paid on the warrant of the Governor.

Mr Gibson called the Previous Question which was Sustained.

On Motion of Mr Green, the vote Sustaining the Call for the previous question was Reconsidered.

On Motion of Mr McLellan, Mr Cobb's Amendment was laid on the table

Mr Manness moved to add

"And that the Same Amount be appropriated to General Rowland"

but afterwards withdrew his Motion

The Joint Resolution was Read a third time forthwith and was Passed not less than three fifths of all the votes being cast for them

Yeas 47
Nays 29.

Those who voted in the Affirmative are Messrs G. W. Ashe, T. P. Ashe, Beard, Bell, Bishop, Bradley, Brooks, Bryan, Chandler, Chapman, Chisholm, Clark, Cooper, Cotten, Cox, Creecy, Dawson, Evans, Gardner, Gibson, Green, Head, Keenan, Kilpatrick, Lassiter, Leeper, Logan, May, Mitchell, Medonell, John Moore, Moulton, McAlexander, McInnis, McLellan, Osborne, Parish, Parsons, Price, Reed, Robinson, Silas Sykes, Sykes, Vincent and Williams—47.

Those who voted in the Negative are, Messrs Speaker, Armistrong, Ashurst, Bearmore, Bethea, Bush, Carlisle, Charlton, Cobb, Coleman, J. M. Davis, W. L. Davis, Ellis, Graves, Hollis, Howell, Ligon, Malone, Maraneo, Merrick, John G. Moore, Morrow, McLemore, Nisbet, Orr, C. A. Parker, Seay, Towles and Vaughan — 29.

Mr Sykes from the Same Committee Reported a Substitute for all the bills and propositions relating to the distillation of grain, being a bill

To Regulate the Distillation of grain in this State and for other purposes.

Which was Read and On Motion of Mr Sykes postponed and Made Special Order for 12 O'Clock, on Monday next.

On Motion then

House adjourned till 10 O'Clock Monday Morning.

House of Representatives
Monday December 5. 1864

House met pursuant to adjournment
Prayer by Rev Mr Pelton of this City
Journal last Read and approved—

On motion of Mr Clark, the Roll of the Counties was Suspended to take up Joint Resolution

— In Relation to the Suspension of the Writ of Habeas Corpus

Message from the Senate by Mr Morgan Asst Secretary

Mr Speaker

I am instructed to ask that the House be respectfully requested to Return to the Senate, the Senate bill

To provide the Alabama Soldiers—prisoners in the United States, with Clothing and provisions

Which Joint Resolution—

House agreed to the Request of the Senate as in the foregoing Message—

Message from the Senate by Mr Morgan Asst Secretary.

Senate Dec 5. 1864

Mr Speaker,

The Senate Concurs in the House Substitute as Substituted by the Senate to the Senate bill

To Supply the Soldiers from the State of Alabama,—prisoners in the United States with Clothing and provisions

The Senate has originated and passed the following Bills

To authorize Kinchen M. Siler to Record the official acts of Bird Fitzpatrick deceased which were recorded at the time of his death

For the final Liquidation of the State Bank and Branches.

To extend the provision of the Laws passed for the Benefit of Indigent families of Soldiers-

To increase the fees of Sheriffs and Clerks of Circuit Courts in ~~Cert~~ Civil Cases.

To increase fees in Criminal Cases.

To amend Section 852 of the Code.

In Relation to the Compensation of the officers of the Penitentiary.

To amend the Laws in relation to public Roads.

And passed House Bills

To amend the Charter of the City of Norfolk

For the Relief of families of Soldiers in Jackson County.

To amend an Act therein named.

To pay N. S. Barber for Stationery furnished the State.

And Amended as therein Shewn and passed the House

To limit and Construe An Act approved 24th Jany, 1867 entitled "An Act to Construe Section 1738 of the Code"

At 12. M. the Special Order for that hour being the bill

To Regulate the distribution of Grain in this State now before the

Discussion of the "Habeas Corpus" Resolution Continued till adjournment, with Mr Berkeley entitled to the floor.

House adjourned till 3½ P. M.

Afternoon Session

House met pursuant to adjournment

House resumed the Consideration of Joint Resolution

In Relation to the Suspension of the Writ of Habeas Corpus—

Mr Barnum yielded the floor to Mr Graves.

Mr Parsons moved to lay Mr Francis's Amendment on the table,

Mr Price moved to adjourn which Motion was Lost.

The Question then Recurred on Mr Parsons' Motion . . . . which was Lost.

Yeas 38
Nays 45

Those who voted in the Affirmative are Messrs Speaker, Armstrong, G. M. Ashe, Ashurst, Bell, Brandon, Chandler, Clark, Cobb, Cooper, Cottle, Cox, Cumming, J. McKee, Green, Head, Howell, Keenan, Lander, Logan, Lewis Ligon, Malone, Manness, J. C. Moon, Moore, Moultrie, McCain, McLemore, Oglesby, Orr, Parsons, Peay, Sims, Sitler, Tyler, Vanzandt and Vincent—38

Those who voted in the Negative are Messrs P. P. Ashe, Beard, Berrien, Betton, Bishop, Brooks, Bryan, Bryan, Bush, Carlisle, Chambers, Chapman, Chisholm, Coleman, McL. Cook, Craven, Ellis, Fountain, Frazier, Gardner, Gibson, Graves, Hallis, Howard, Jones, Kilpatrick, Mangum, May, Merrick, Mitchell, Medonell, John Moore, McAlexander, McInnis, McLellan, Nisbet, Parish, B. A. Parker, Price, Reade, Robinson, Taylor, Troy, Williams and Wolff—45—

Mr Graves moved to adjourn which Motion was Lost—

Question then Recurring on the adoption of Mr Francis's Amendment.

Mr Sykes moved to take from the table the Motion of Mr Graves to Strike out the 3rd Resolution
which Motion was Carried,

The Question then Recurred on Mr Graves's Motion to Strike out Said 3rd Resolution
which Motion was Carried.

Mr Speaker (Mr Mordecai in the Chair) moved to amend as follows

And Be it further Resolved That the Governor be requested to furnish each of our Senators and Representatives in Congress with a copy of these Resolutions as an expression of the opinion of this General Assembly upon the question of Suspending the writ of Habeas Corpus,

Which Amendment was adopted.

The Joint Resolutions were then Read and Adopted

Yeas 63
Nays 12

Those who voted in the Affirmative are Messrs: Speaker, Armstrong, G. W. Ashby, T. P. Ashby, Ashurst, Beard, Bell, Berrien, Brandon, Bryan, Bujac, Bush, Chambers, Chapman, Charlton, Clark, Cobb, Coleman, Cooper, Cottle, Cox, Crumming, M. S. Craven, Dawson, Ellis, Franklin, Foster, Gardner, Gibson, Graves, Green, Head, Hobbs, Howard, Howell, Hunter, Kilpatrick, Lamber, Leeper, Lewis, Ligon, Malone, Manning, May, Merrick, Mitchell, Mordecai, J. G. Moore, Morgan, McAlexander, McCain, McInnis, McLellan, McLemore, Ogburn, Orr, Parsons, Robinson, Seay, Sibley, Sykes, Vaughan, and Vincent — 63.

Those who voted in the Negative are Messrs: Bethune, Carlisle, Chisholm, Graves, Magee, John Moore, Nisbet, Parish, C. A. Parker, Towles, Williams and Wolff — 12

On Motion then

House adjourned till 10 O'Clock to-morrow Morning.

House of Representatives
Tuesday December 6. 1864

House met pursuant to adjournment,
Prayer by the Rev. Jabez B. Taylor of this City.
Journal was Read and approved.

Call of the Counties

Bills were Introduced

By Mr Chambers

To provide for the exchange of Confederate States Treasury notes

By Mr Cobb.

To authorize Jabetha Seay and Mrs. S. Evans to draw Extra funds due the Indigent families of Soldiers in Hayetts and Marion Counties.

By Mr Bemiss

To Repeal Section 3536 of the Code.

By Mr Williams

To authorize the Probate Judge of Henry County to sell certain School Lands

By Mr Means

To Suspend Sections 768, 769, 770 and 771 of the Code in so far as Jefferson County is concerned.

By Mr Ashcraft

To Regulate the fees of the Probate Judge of Talladega County.

By Mr Lewis

To incorporate Companies for Indexing the Manuscript Acts of the General Assembly.

which Bills was Severally Read the first time ordered and passed -

By Mr C. A. Porter

To suspend certain Laws therein named.

By Mr Vaughan

To Repeal an act to Regulate the Sale and inspection of Corn.

By Mr. M. St Clair

For the Relief of Sam Rogers

which Bills was Severally Read the first time and Referred to the Committee on Ways and Means.

By Mr Cooper

To provide for the appointment of Robt. Chiles, Marcus, Marcus H.

By Mr John G. Mann

To Remove the administration of the estate of Jordan D. Everett from Pike to Coffee County.

By Mr Adams

For the Relief of Sheriffs

By Mr Morrow

To Repeal an act Suspending the Statute of Non-Claims

Also.

To Regulate the trials of Appeals &c before Justices of the Peace

By Mr Nesbet

For the Relief of James D. Kennedy of Ruffell County

By Mr T. P. Hale

For the protection of Cattle in the County of Washington.

By Mr Malone

To confer jurisdiction on the Probate Judge of Cherokee County

which was severally Read twice and Referred to the Judiciary Committee.

By Mr Cumming

Joint Resolution for Raising a Joint Committee to examine into the Condition of the State Jail Work

which was Read once & adopted -

By Mr Keenen

A bill, To amend the Exemption laws of this State

which bill was Read twice and Referred to the Military Committee.

Mr Speaker presented

Account of A. P. Walker Adjutant and Inspector

General of the Militia

which was Referred to the Committee on Accounts and Claims—

Mr Bethea introduced a Bill

For the Benefit of the Indigent Relief

Committee of Montgomery

which was Read twice.

Mr Read offered the following Amendment

"And the Judges of Probate of this State shall also Render like aid to Said Clerks in their Counties, from the State fund appropriated for Indigent families of Soldiers"

which Amendment on Motion of Mr Manasco, was laid on the table—

Mr Moulton offered the following Amendment

Amend by appropriating $20,000 for the Benefit of Refugees &c

Match

Bill and Amendment was Referred to the Committee on Ways and Means—

Message from the Senate by Mr Morgan Asst Secretary.

Senate Dec 7. 1864

Mr Speaker,

The Senate has adopted the following Resolution

Resolved That the House of Representatives be respectfully requested to Return to the Senate a Bill

For the Relief of Certain Lot Purchasers therein Named

The Senate has originated and passed the following Bills.

To authorize the destruction of Papers of State Boards when Redeemed,

To authorize Suits to be brought for and against the Alabama Insane Hospital

To Repeal Certain Laws therein named

To Regulate the Salaries of Executive Officers of this State

To Repeal An Act to Regulate the Sale and exportation of Corn approved Dec 8. 1862.

To prevent accidents on Railroads

and Joint House Bills.

To provide Compensation for the County Commissioners of this State

To increase the fees of Certain officers therein named

To change the fines and forfeitures prescribed by the Code

For the Relief of Grief A. Chambers Administratrix

To authorize W. G. Mercer matter to erect a Gate across the Marbor Road in Montgomery County

To Confer jurisdiction on the Probate Court of Dallas County in a Certain Case

To establish the City Court of Selma

And Amended or therein Shown and Joint House Bills

To fix the eastern Boundary of the City of Montgomery

To exempt Millers from Military Service in this State

And adopted House Joint Resolution.

Of thanks to the Ladies of Alabama

Relating to the Regimental Flags of Alabama Volunteers

And Concurs in the following Resolution of the House

Resolved, That with the Concurrence of the Senate, the two Houses of the General Assembly will Convene in the Hall of the House of Representatives on Tuesday next at 11 O'Clock, for the purpose of electing a State Treasurer, Comptroller of public accounts and Secretary of State.

At 11 O'Clock the Senate upon invitation, appeared in the Hall of the House, when the two Houses of the General Assembly, in Joint Convention proceeded to the election set for that hour.

Nominations for State Treasurer being in order,

Mr Chapman of the House Nominated O. B. Graham, present Incumbent

And Mr Graham having received all the votes Cast (116). Mr Speaker declared him duly and Constitutionally elected Treasurer of the State for the term prescribed by Law.

Nominations for Comptroller of Public Accounts then being in order,

Mr Rice of Montgomery of the Senate, Nominated W. J. Greene present Incumbent and Mr Greene having received all the votes Cast (108), Mr Speaker declared him duly and Constitutionally elected Comptroller of public Accounts for the term prescribed by law.

Nominations for Secretary of State then being next in order,

Mr Garrett of the Senate Nominated P. H. Britton present Incumbent for Secretary of State and Mr Britton having received all the votes Cast (109) Mr. Speaker declared him duly and Constitutionally elected Secretary of State for the term prescribed by law.

The Senate then withdrew to its Chamber.

Message from the Senate by Mr Morgan A. Secretary.

Senate Dec 7. 1864

Mr Speaker.

House Bill

The Senate has amended the same and passed the

For the Relief of Certain Contingent Expenses incurred

On Motion of Mr M. L. Davis, the House was Suspended to enable him to make a Certain Motion.

Mr M. L. Davis moved to Reconsider the vote by which the House on 28th November refused to order to a third Reading the Bill

For the Relief of the Heirs of Joseph Kemp

which Motion was Carried

Said Bill was then ordered to a third Reading.

On Motion of Mr Kilpatrick the Journal was further Suspended to allow him to Make a Certain Report.

Mr Kilpatrick from the Committee on Local Legislation Reported favorably to the Bill

To authorize the Commissioners Court of Chambers County to increase the Compensation of the County Treasurer of that County

which Bill was amended by including the Counties of Green, Choctaw, Escambia, Lawndes, Tallapoosa, Perry, Randolph, Marengo, Sumter, Coosa, Barbour, Macon, Wilcox, Autauga, Lowndes, Jackson, Blount, Clarke, Calhoun, and Shelby.
and Lapsed.

Mr Lawler from a Select Committee Reported favorably with Amendments to the Bill

To Incorporate "The Orphans Home Association of Alabama" -

which Amendments were adopted, the Bill Read a third time and Lapsed.

At 12 O'Clock, Special Order Comes up.

On Motion moved to Suspend the Special Order to enable Committees to Report,

Mr Chambers moved to Amend Said Motion, to take up Senate Messages

which Motion was Carried,

House Concurred in the Amendments of the Senate to the House Bills,

For the Relief of Certain Contractors therein named

To increase the fees of the Jailer of Russell County

To increase the fees of Justices of the Peace and Constables in Montgomery County and for other purposes.

To Limit and Construe An Act approved 30th January 1861 entitled "An Act to Construe Section 1758 of the Code," and for other purposes.

House refused to Concur in the Senate Amendments to the House Bill

To Amend Section 1942 of the Code,

House acceded from its Second Amendment to the Senate bill

To authorize Guardians, Executors and Administrators to Sell State and Confederate Bonds upon Order of Judges of Probate,

House Concurred in the Amendments of the Senate to the House Bills,

To extend the time within which Official Bonds must be filed

To fix the eastern Boundary of the City of Montgomery,

House bill

To exempt Millers from Military Service in this State

Amended in the Senate

Mr Lewis moved to Amend Amendment of the Senate as follows:

Provided, That the County Commissioners Shall determine who are practical Millers

which Amendment was lost,

Bill was Referred to the Military Committee,

House Refused to Concur in the Amendment of the Senate to its House Substitute for the Senate Bill

To provide Soldiers from the State of Alabama prisoners in the United States, with Clothing and provisions,

And Senate to be notified at once-

Senate Bills

To authorize Durham M. Giles to Record the official Acts of Bird Fitzpatrick deceased, which were mutilated at the time of his death

was Read three times forthwith and passed,

To extend the provisions of the laws passed for the Benefit of Indigent families of Soldiers

In Relation to the Compensation of the Officers of the Penitentiary

was Severally Read twice and Referred to the Committee on Ways and Means.

To Incorporate "The Orphans Home of East Alabama"

was Read twice and On Motion of Mr Sayers, Referred to a Select Committee of three,

Mess Sayers, Chandler and Groves Constitute Said Committee.

To incorporate the Alabama Savings Bank at Montgomery

To increase fees in Criminal Cases.

To increase the fees of Sheriffs and Clerks of Circuit Courts in Civil Cases.

was Severally Read twice and Referred to the Judiciary Committee

To amend Section 852 of the Code

was Read twice and ordered to a third Reading.

In Relation to Certain State Salt Works

was up when the hour of 1 O' Clock Came and

House Stood adjourned till 3½ P. M.

Afternoon Session.

House met pursuant to adjournment.

Mess Cumming, Mcdowell, T. P. Ashe and Jones were placed on the Committee on Confederate Relations. Soldiers Pensions. Supply

Senate Bills

In Relation to Certain State Salt Works

was Read twice and On Motion of Mr Cumming. laid on the table.

To Confer jurisdiction upon the Confederate States over the lands belonging thereto in this State

To Allow Plaintiffs in Attachment to be witnesses in Certain Cases.

To put it in the power of Soldiers from Alabama to vote in Congressional and Presidential Elections at any place they may be at any such election

was Severally Read twice and Referred to the Judiciary Committee.

To Increase the Compensation for Catching up a Runaway Slave

To prevent Accidents on Rail Roads.

For the Relief of Woodson Cocke of Perry County

To extend the time for filing Official Bonds in Certain Cases.

was Severally Read three times and passed—

In Reference to the Reports of Trustees of Free Public Schools

was Read twice and Referred to the Committee on Education.

To Repeal in part an act entitled An act to provide for the Reorganization of the Militia of the State of Alabama" approved Aug 29, 1863.

was Read thrice and

On Motion of Mr Manasco, was laid on the table—

For the final liquidation of the State Bank and Branches

was Read thrice and Referred to the Committee on State Bank and Branches.

Mr Bowers introduced a Bill

To change the name of the Montgomery Episcopal Female Orphan Asylum situate in the City of Montgomery

which was Read three times forthwith and passed.

Mr Graves offered the following Resolution which was adopted;

Resolved, That the Governor be Requested to inform this House of the Mode adopted by the Quarter Master, for the distribution of Clothing now in Said Department.

Mr Sykes from Select Committee reported favorably with Amendments to the Senate Bill

To Incorporate "the Orphans Home of East Alabama"

which Amendments were adopted and the Bill read a third time & passed.

Mr Bowers from the Judiciary Committee, Reported a Substitute for the Bill

To Incorporate the Episcopal Church of the Diocese of Alabama to enable it to provide for the orphans of Soldiers and other destitute persons

which Substitute was adopted and the Bill read a third time and passed.

Mr Cooper from the Same Committee, reported favorably to the Bill

— — To authorize the Judge of Probate of Cherokee County to admit to probate the Nuncupative will of John F. Comer deceased.

Which Bill was Read a third time and passed —

Leave of absence was granted to Mr Robinson.

On Motion then

House adjourned till 10 O'Clock, to-morrow Morning.

House of Representatives
Wednesday Dec 7. 1864

House Met pursuant to adjournment

Prayer by the Rev Mr Dickerson of this City

Journal was Read and approved.

Call of the Counties

Bills were Introduced

By Mr Chapman

To Remove the Administration of the estate of
W. J. Scott from Green to Perry County

By Mr Bush

To Compensate Beat Agents in Polk County

By Mr Hollis

For the protection of the Citizens of Marion
County

By Mr Vincent

For the Relief of Nelson St. Chandler of Cherokee
County

which was Severally Read the first time and passed—

By Mr Howard

To authorize Alexander McKeathen of Autauga
County to Rent Certain Lands therein named.

By Mr McInnis

To authorize the Probate Judge of Secretan County to Sell Certain School Lands

By Mr T. P. Akin

To Regulate the fees of the Probate Judge Clerk of the Circuit Court Sheriff and County Commissioners of Washington County

By Mr Cooper

To increase the fees of Solicitors

which Bills were Severally Read twice and Referred to the Judiciary Committee

By Mr J. G. Moore

To enable friends and Relations of Soldiers to Send Clothing to them

which was Read twice

Mr M. S. Davis moved to Strike out the word "Required" and insert the word "Authorized"

which Motion was Carried

Bill was Referred to the Committee on Ways and Means

Mr McAlexander

To authorize the Governor to Record certain Contracts therein named

which Bill was Read twice and Referred to the Committee on Ways and Means

By Mr Bettes

To pay Servants hire during the present Session of the General Assembly

which was Read twice and Referred to the Committee on Accounts and Claims

Message from the Governor by Mr J. R. Jenkins Jr Private Secretary -

Mr Speaker

His Excellency the Governor has approved the bills which originated in the House of Representatives, of the following titles:

An Act for the Relief of B. F. Garrison late Collector of Perry County

An Act for the Relief of Thomas Kelly

An Act to Re-imburse indigent families of Soldiers in the County of Lawrence, with funds of which they have been robbed by the enemy.

An Act to Suspend the operation of Certain Acts therein named until otherwise provided by Law.

Joint Resolution to Amend the Constitution

An Act for the Relief of Jesse Mantell of Clarke County

An Act for the Relief of Tax Assessor and Collector of Camp County

An Act for the Relief of T. F. Sarrecat Sheriff of Tensas County

The Message from the Governor Relative to Exemption of State Officers was Referred to the Military Committee

Message of the Governor in Relation to the act for the Relief of Indigent Married Soldiers was Referred to the Committee on Ways and Means

Message of the Governor in Relation to the Students in the University over 18 years of age was Referred to the Military Committee.

Message from the Senate by Mr Morgan Asp. Secy

Senate Dec 7. 1864

Mr Speaker.

The Senate has originated and passed the following Bills.

For the Relief of the Probate Judge of Perkins

County

For the Relief of Sarah Jane Sledger

To Repeal an act therein named

and passed the House Bills

In Relation to the Support of Indigent families

of Soldiers of Winston County

County

For the Relief of the Judge of Probate of Lawrence

County

To fix the price of the Reports of the Supreme

Court.

For the Relief of the heirs of R. H. Fryer

And Concurred in the Amendment of the House to the Senate bill

To confer jurisdiction on the Probate Court of Mo-

nroe County

The Senate has amended as therein Shown and passed

the House bill

To amend an act therein named &c as to provide

for families Rendered destitute of Subsistence in the Counties of Cherokee, Ben-

Hall and other Counties by the public enemy,

The Senate Recedes from the Amendment by way

of Substitute to the House Substitute to the Senate bill

To Supply the Soldiers from the State of Alabama

prisoners in the United States with Clothing and provisions,

and has amended the House Substitute as therein Shown and as

Amended, Concurs in the Same,

Senate Bills

To Amend Article 4 Section 2 of the Revised School Laws

To Incorporate the Annual Montgomery Conference of the Methodist Episcopal Church South

To Incorporate the Orphans Aid Society of the Annual Montgomery Conference of the M. E. Church South

To authorize Executors to Sell property for Slate or Confederate Trading Acts in certain Cases

To authorize the Probate Court of Walker County to grant Administration on certain estates

To Legalize the Grant of Administration upon the estate of Major Beaver in the Probate Court of Talladega County

For the Relief of J. G. J. Whitsides of Calhoun County

To Repeal an act to Regulate the Sale and exportation of Corn, approved October 8. 1862

For the Relief of the Probate Judge of Pickens County

To Repeal "An act to provide for keeping for Medicines furnished to indigent families of Soldiers from the State of Alabama"

To authorize the Court of County Commissioners of each County to Regulate the tolls of Toll Bridges and Ferries in their respective Counties

Were Severally Read the Second time & Referred

Senate Bills

For the Relief of W. K. Pitts late Collector of Choctaw County

To increase the powers of County Commissioners of Pike County

For the Relief of C. P. Fennemore

To Repeal the act to Require the Commissioners Court of the several Counties of this State to furnish blanks to Tax Assessors so far as Coosa and other Counties are Concerned

To authorize the destruction of Coupons of State Bonds when Redeemed—

was Read twice and Referred to the Committee on Ways and Means.

Senate Bills

To provide for the publication of Notices in legal proceedings

and Joseph H Bradford

To authorize a Settlement between the State

To provide for the transfer of Chancery Cases between the Chancellor is interested therein and relative to any of the parties thereto

For the probation of the estate of deceased Persons and for other purposes.

To Amend an Act to incorporate the Alabama Fire Marine and Insurance Company at Montgomery.

To Amend the Laws in relation to public Roads.

To Repeal a proviso to the 3rd Section of an act entitled "An act the More effectually to Secure and Collect Taxes and Penalties and for other purposes

For the Relief of Sarah Jane Elledge

was Severally Read twice and Referred to the Judiciary Committee

Senate Bill

Authorizing Suits to be brought for and against the Alabama Insane Hospital in the County where located,

was Read twice and Ordered to a third Reading.

To Repeal certain Laws therein named So far as they apply to the County of Jefferson and for other purposes.

was Read twice and Ordered to a third Reading.

Senate Bills

To equalize the Salaries of Executive Officers of this State

Was Read twice.

Mr Ogburn moved to Amend by increasing the Compensation of the Public Printer One hundred per Cent

Motion Lost Not Adopted.

Bill and Amendment was then Referred to the Committee on Ways and Means.

House Bills

House Concurred in the Amendments of the Senate to House

For the Relief of the Heirs of R. H. Troyer

To fix the price of the Reports of the Supreme Court.

To Amend an act therein named So as to provide for families and destitute of Subsistence in the Counties of Cherokee, DeKalb and other Counties by the public enemy.

At 12 O' Clock, the Special Order for that hour was Suspended,

House Concurred in the Amendments of the Senate for the House Substitute for the Senate bill

To furnish the Soldiers from Alabama, prisoners in the United States with Clothing and provisions.

Message from the Governor on Subject of Exemptions.

Executive Department of Alabama
Montgy Nov 26. 1864

Hon W. H. Crenshaw
Speaker of the House of Reps
Alabama Legislature

Sir,

I have the honor to acknowledge the Receipt of two Resolutions passed by the House of Representatives and dated in the following language

Resolved 1. That His Excellency the Governor be, and he is hereby requested to furnish this House with a Statement Containing the Names of all persons exempted by him, from Confederate Military Service, in each County in this State together with the ground or Cause of such exemption.

2nd. A Statement Showing how much Salt has been received from persons who have been exempted from Confederate or State Military Service; from whom and by whom received; when received and what price was allowed for it; or if no price was paid or allowed, on what terms it was received; how much Salt each person exempted or detailed has delivered and the date of his exemption or detail.

In Reply to the first Resolution, I have the honor to say that I have not exempted any persons from Confederate Military Service. The Governor of Alabama derives all his powers from the Constitution and laws of Alabama; and these give him no power to exempt any persons from Confederate Military Service. The Governor of Alabama derives no power from Confederate laws, and he is not aware that any Confederate law has attempted to confer any power of a State, the power to exempt persons from Confederate Military Service.

The Act of Congress passed on the 17th February, 1864, entitled "An Act to organize forces to serve during the war" exempts from Confederate Military Service, certain classes of persons.

The 2nd Clause of the 10th Section of that act declares exempt, "the Vice President of the Confederate States; the Members and Officers of Congress and of the several State Legislatures and such other Confederate and State officers as the President or the Governors of the respective States may certify to be necessary to the proper administration of the Confederate or State Governments as the case may be."

It will be seen that this act itself, and not the Governors of the States, makes the exemption of State officers.

I think it possible that the House of Representatives designed to ask the Governor to furnish a Statement Containing the Names of the State officers to whom Certificates have been given by him. Under this supposition, I have directed the Secretary of State in whose office an account of such Matters is kept, to make out a Statement, I am advised by him, that it will take Several days to Complete the Statement, So Soon as the same can be made, I will furnish it, I Send herewith, a Copy of the Certificate which I have given to officers.

In giving such Certificate which is Exceptionally, to be regarded only as evidence of the official Character of the person named in it, It appeared to me doubtful, whether the Governor had the right to discriminate between officers at all, When the Constitution or Laws of the State Confer an office it may well be presumed that the officer is regarded by the State as necessary to the proper Administration of the State Government, and inasmuch as the Governor is Merely an executive officer, he could not undertake to declare that any office thus Created, is not essential to the proper Administration of the State Government. It might well be Said that this Should be declared by the Legislative Authority of the State. The Governor was not bound to give Such Certificate. The Laws of Congress could not impose a duty on him. However, to prohibit the investigation of Confederate enrolling officers and to prevent the officers of the State from being Annoyed, I determined to Issue Certificates. I adopted the Rule to give without further enquiry, Certificates to the officers called before the Report of the first Conscription Act. As to those Subsequently elected, especially those occupying the Smaller offices Such as Justices of the Peace and Constables, the enquiry was first made as to age. If the officer was

under 45 years old, no Certificate was given, Unless Some Special reasons Shown (besides holding the office) why the party Should remain at home. The withholding of my Certificate did not deprive the officer of his legal rights. I Simply refused to give him facility which the Certificate would afford, to acquire the exemption Sought.

In Reply to the 2nd Resolution, I know the Law & Say that as the Governor has no power to exempt Said Makers from Confederate Military Service, and has never attempted to exercise any Such power, he Cannot answer fully this Resolution. Accurate information Can only be derived from Confederate Authorities.

Some of the Salt Contractors with the State have applied for recommendations for exemption. Whenever it was Shown, that Such Contractor had in good faith Commenced and was engaged in Making Salt under their Contracts, I have recommended them to the Confederate Authorities for exemption.

The Salt Commissioner, B. M. Woolsey has made Contracts with Several gentlemen, who were at work on the Saltworks of the State, by which they were to pay a certain toll; and Some of these have been recommended by me, for exemption from Confederate Service. I am not able to Say how many have been thus recommended or no Record of Such recommendations was kept in this office. Neither Can I give at present the information how much Salt has been received from them, nor the terms when received. All the information I have on the Subject of the Resolution will be found in two Statements from Genl R. C. Gibson & L. M. General of the State herewith Sent.

I have written to Col B. M. Woolsey for Such information as he possesses on this Subject. So Soon as I get his Reply, it will be forwarded to the House.

Table "C" attached to and forming a part of the L. M. General's Report will Show who are the Contractors with the State for Making Salt and the prices to be paid and the terms when the Contracts were Made.

At what time the exemptions from Confederate Service were Made by the Confederate Authorities, I Cannot tell as no Record of Such exemption is kept in this office.

Very Respectfully, Your Ob't. Servant
T. H. Watts
Governor of Alabama

At 12 O'Clock, the Special Order Coming up it being the Salt Works Report to the Committee on Ways and Means for its Consideration and all other propositions relating to Legislation in this State

On Motion of Mr Chambers, the House went into Committee of the Whole to Consider Said Bill, with Mr Cooper in Chair.

On motion, the Committee rose & the Chairman reported progress and asked leave to Sit again.

At 1 P. M.

House Stood adjourned till 3½ P. M.

Afternoon Session.

House Met pursuant to adjournment.

and Resolved itself into Committee of the whole on the Whisky Bill.

Mr Lawler moved that the Committee rise and ask to be discharged

which Motion was Carried.

Mr. Cumming moved to lay the [redacted] Whisky Bill on the Table.

which Motion was lost.

Ayes, 29
Nays 54

Those who voted in the Affirmative are Messrs. T. P. Ashe, Atkinson, Brooks, Brooks, Byers, Chapman, Charlton, Christian, Cumming, Ellis Foster, Gardner, Gibson, Green, Greathouse, Green, Keenan Kilpatrick, Leeper, Moy, Mordecai, John Moore, J.G. Moore, McAlexander, McLellan, Orr, C.A. Parker, Reid — 29.

Those who voted in the Negative are Messrs Speaker, Armstrong, G. W. Ashe, Atkinson, Beard, Bell, Bowman, Bethea, Bishop, Bush, Bryan, Carlisle, Chambers, Clark, Cobb, Coleman, Cooper, Cox, J. McDavis, McL. Davis, Dawson, Keck, Frierson, Hall, Hollis, Howard, Howell, Lamb, Lewis, Logan, Magee, Manross, Marlow, Mitchell, Morrow, Moulton, McCabe, McInnis, McLemore, Nisbet, Ogburn, Parish, Parmele, Price, Seay, Sikes, Sibley, Sipkins, Taylor, Towles, Vanzandt, Vincent, Williams, and Wolff — 54.

The question was then on the Substitute,

On Motion,

House adjourned till 10 O'Clock, to-morrow Morning.

House of Representatives
Thursday December 8. 1864

House met pursuant to adjournment
Prayer by the Rev James B. Taylor of Richmond Virginia—
Journal was Read and approved.

Mr Foster offered the following Resolution which was adopted.

Resolved,

That with the Concurrence of the Senate, the two Houses of the General Assembly will meet in Joint Convention, in the Hall of the House on Friday next at 12 O'Clock, for the purpose of electing Trustees of the University of Alabama for the 2nd, 4th and 5th Judicial Circuits.

Mr Bolton from the Joint Select Committee, Reported a bill

To Continue the office of Commissioner and Trustee and to provide for the payments of the Foreign debt of the State

which bill was Read 1st time and Made Special Order for 11 O'Clock to-morrow Morning—

On Motion of Mr Manasco, the Call of the Counties was Suspended.

Reports from Standing Committees.

Mr Jones from the Committee on Ways and Means, Reported favorably with Amendment to the Senate bill,

In Relation to the Compensation of the Officers of the Penitentiary,

which Amendment was adopted and the bill Read a third time and passed—

Mr Price from the Same Committee, Reported a Substitute for the Bill

For the Relief of Burrell Johnson, late Sheriff of Perry County,

which Substitute was adopted and the bill Read a third time and passed—

Mr Gardner from the Same Committe, Reported adversely to the bill

For the Relief of the family of John Summer of

Walker County

On Motion of Mr Monroe the Report was laid on the table.

On Motion of Mr Sipher, $800 was stricken out and $500 was inserted.

The Bill was then Read a third time forthwith and passed

Also, Reported adversely to the Bill

To Repeal an act to Regulate the Sale and exportation of Corn, approved November 8. 1862.

Since this time Messrs have already passed a bill to Repeal this act.

which Report was Concurred in.

Also, Reported favorably with Amendment to the Senate bill

To authorize the destruction of Coupons of State

Bonds when Redeemed.

which Amendment was adopted and the Bill read a third time and passed

Mr Gardner from the Same Committe, Reported favorably to the Bill

To allow Certain persons therein named to peddle in this State

Mr C. A. Parker moved to lay said Report on the table and the Committe report upon a Certain other Bill-

Mr Gardner was permitted to withdraw the Report

Mr Bowman Moved to Suspend the Regular Call of the Committee to enable him to make a Certain Report from the Military Committee

which Motion was Lost

Mr Gardner from the Committee on Ways and Means Reported adversely to the Bill

To enable the friends and Relations of Soldiers to Send Clothing to them

which Report was Concurred in.

Mr Magee from the Same Committee Reported adversely to the Bill

To authorize the Courts of County Commissioners to appoint Supply Agents

which Report was Concurred in.

Also Reported adversely to the Senate Bill.

To extend the provision of the Laws heretofore for the benefit of Indigent families of Soldiers

which Report was Concurred in.

Mr Cooper from the Same Committee Reported favorably to the Senate Bill

For the Relief of Wm H. Fritts Tax Collector of Choctaw County

which Bill was Read a third time and passed.

Mr Lawler from the Same Committee Reported adversely to the Senate Bill

For the Relief of C. P. Fairman.

which Report was Concurred in.

Also, Reported favorably, with Amendment to the Senate Bill.

To guard and protect the appropriations by the General Assembly of this State for the Support of the Asylums of Indigent Soldiers

which Amendment was adopted and the Bill Read a third time and passed.

Also, Reported favorably with Amendment to the Senate Bill

To Regulate the Salaries of the Executive Officers of the State

which Amendment was adopted and the Bill Read a third time and passed.

Also, Reported adversely to the Bill

To authorize the Governor to purchase ground for enlarging the Capitol Square

On Motion of Mr Bettes, the Bill was Recommitted to the Committee.

Mr Sykes from the Same Committee, Reported adversely to the Senate Bill

To Repeal An Act to Require the Commissioners Court of the several Counties of this State to furnish Blank to Tax Assessors

which Repeal was Concurred in.

Also Reported adversely to the Bill

To authorize the Governor to purchase certain Grave

which Repeal was Concurred in,

Mr. Reed reports adversely to the Bill

To Compensate Seventy Citizens of Cherokee County for Spec. Duty rendered the Commissioners of Cherokee County in 1861

which Report was Concurred in.

Mr. Read from the Committee on Education Reports favorably to the Bill

To Amend the Public School System of this State

Mr Cumming made a Minority Report on the Same Bill.

On Motion of Mr Cobb, the Subject was laid on the table.

Yeas 57
Nays 20

~~Mr Clytons from the Same Committee, Reports adversely to the Bill~~ Those who voted in the affirmative are Messrs Armstrong, G. M. Axle, T. P. Bell, Atkinson, Bennett, Bethea, Bishop, Brandon, Bryce, Bryan, Burch, Carlisle, Chapman, Chastain, Christian, Clark, Cobb, Coleman, Cooper, Cattle, Cumming, McD. Davis, Dean, Ellis, Freeman, Fulton, Green, Hall, Harris, Howell, Hull, [illegible] Kenan, Kilpatrick, Cooper, Lewis, Logan, Magee, Malone, Manning, May, Merrick, Mcdonell, Jno. J. Moore, Morgan, Moulton, McAlexander, McCallum, Oglesby, Orr, Parish, Parsons [illegible] Peeples, Price, Sikes, Sykes, Towles, Vincent, White, Williams and Wolff—57.

Those who voted in the Negative are Messrs Speer, Atkinson, Bell, Brooks, Chambers, J. W. Davis, Dawson, Fowler, Green, Grantham, Hood, Mitchell, Jno. Moore, McCain, McDaniel, Nisbet, C. A. Parker, Price, Reed, and Vaughn—20.

Mr Clytons from the Same Committee Reports adversely to the Bill

To Amend Section 14 of Article 7 of the School Law

which Report was Concurred in.

Mr Cox Reports adversely to the Bill,

To Amend the School Law of this State,

which Report was Concurred in.

The Grants from the Same Committee Reported adversely to the Bill

To Amend An act entitled "An Act to render more efficient the System of Free Public Schools in the State of Alabama" approved 14th Feby, 1856.

Which was postponed till to-morrow —

Message from the Senate by Mr Morgan Asst Secretary

Senate Dec 8. 1858

Mr Speaker,

The Senate has Originated and passed the following Bills:

To authorize the Removal of the obstn of W. R. Road from Kellar to Wilcox County:

For the Relief of R. H Northrup and Wm Kendrick,

To Reduce the Amount of Public Printing

To Compensate Wm A. Weed for Services rendered the State

To provide for the Administration of the Estate of Indigent Soldiers in Pickens County

And passed the following House Bills

To Incorporate the Orphans Home of the State of Alabama

To Incorporate the Selma Savings Company

And Amended as therein Shewn and passed House Bill

To Incorporate the Ferry of Jones and Withers in Marengo County, and other Counties.

At 12 O'Clock, the Special Orders were Suspended to allow Committees to Continue their Reports.

Mr Medaris moved to postpone till to-morrow.

Mr Cumming from the Committee on Education Reported adversely to the proposition to make provision for the Education of orphans of deceased and destitute Soldiers because the end desired can be attained by bills now before the House.

Committee asked to be discharged from the further consideration of the Subject.

Which Report was received in and the Committee discharged as desired.

Mr Chambers from the Senate Committee, Reported adversely to the Bill

Relating to the Education of the Orphans of indigent Soldiers

Mr Cooper moved to Recommit the Bill with instructions to amend

So as to require all Teachers to Receive Orphan pupils under 14 and all Male Teachers to receive disabled Soldiers under 21 years, their tuition to be paid for out of the School fund.

The Report was Concurred in.

Mr Foster from the Committee on State University. Submitted a Report as follows

The Committee on the University to whom the Report Made by the Chairman of the Executive Committee of the Board of Trustees, herein the Same under Consideration, and in Relation to the Suggestion of the propriety of erecting additional buildings at the University by the State, instead to Report that under the present Condition of public affairs, it is inexpedient for the State to undertake any additional buildings.

The Committee request the accompanying Report of the Executive Committee of the Board of Trustees of the University, to be Spread upon the Journal of this House.

Report of the Board of Trustees of the University of Alabama.

To the General Assembly and House of Representatives of the State of Alabama:

The Trustees of the University of Alabama respectfully represent, that the Academic and Military Staff of the University is now full and Consists of the following persons:

Academic Staff.

L. C. Garland, President and Professor of Moral Philosophy

J. W. Pratt, Professor of Logic, Rhetoric and Elocution
W. S. Upsmus " " Latin and Greek Languages
A. De Laffre " " Modern Languages
M. J. Vaughan " " Mathematics
C. H. Toy " " Natural Philosophy
J. W. Mallet " " Chemistry and Geology
B. J. Meek Assistant Professor of Ancient Languages
W. C. L. Richardson Profess. ad interim of Chemistry
E. R. Rickson Rector of the Academic Department
H. M. Bruneild Assistant Professor " "
E. A. Smith " " " "
John Mapes " " " "

Military Staff.

L. C. Garland Colonel and Superintendant of Corps.
J. H. Murfee Lt. " " Commandant of "
C. Poyner Captain and Instructor in Tactics
R. A. Smith " " " " "
J. H. Murfee " " " " "
J. Mapes Captain detailed for Scholastic duty
John T. Gibbs Captain and Quarter. Master

Employees.

P. F. Price Steward
G. W. Shaw Steward
J. T. Pierce Superintendant of Repairs.
J. P. Boyle Gun Repairer detailed by Secretary of War
John McClelland Shoemaker " " " "
W. L. Gafney Tailor " " " "

Cadets

There were 341 Matriculated for 1863–4, of whom the greater number were in the Academic Department. But three graduated. This was owing to the fact that the Army is a Constant drain upon the Corps. About one fourth of the whole number, Continue the second year, and but few of any the third year. The present year has opened with a full Corps though all the appointees have not yet reported for duty in consequence of sickness or detention in the ranks of the Virginia Militia.

The Corps is limited to 300 or thereabouts, by the want of Accommodation for a larger Number. There is now an excess of Application. Amounting to about 150 and the Number is increasing daily. The Corps could be increased to 1 or 200 if the necessary buildings for their Accomodation were provided. And in Consideration that this is the only Institution in the Southern Confederacy or the Cotton States, now in operation, it is to be regretted that it is limited to about 300. The Trustees have no Means of erecting the necessary buildings as the income of the University is paid in the depreciated Currency. It is a question well worthy the attention of the Legislature, whether it would not be the part of wisdom, to Loan the present Superintendent Funds, and so increase the Capacity of the University for the accommodation of Cadets, for in the Most Commanding position of any Seat of Learning in our Country.

Studies

It is gratifying to us to be able to state that notwithstanding the Condition of the Country so well calculated to distract the attention of the Students, the Scholarship of the past year was quite as good under the Circumstances as Could be

expected and the demeanor and Conduct of the Cadets, Unexceptionable. This is no doubt to be attributed to the introduction of the Military System for the Government and police of the Institution. It has been our object to confine the Military to the System within its appropriate limits and to preserve the Supremacy of the literary and Scientific Departments over the Military, So as to prevent the University from becoming a mere Military School.

Finances

At this late Meeting of the Board, the financial affairs of the Institution were the Subject of a thorough investigation, by a Committee appointed to Meet two days in advance of the Meeting of the Board; and they were found to have been judiciously Managed and to be in a healthy Condition. The difficulty of providing for the Cadets has been surmounted by requiring the Cadets to furnish a portion of their food and Clothing.

In Consequence of the great depreciation of the Circulating Medium and appreciation of all the necessaries of life, it became necessary to increase the Salaries of the Officers of the University one hundred per Cent, to meet which additional expense, the fee for tuition was increased to one hundred per Cent for the Collegiate Year. The Cost of Clothing and Subsistence will as heretofore be regulated by the Cost.

Col J. W. Mallet the Professor of Chemistry and Geology, is Still absent on Leave, in the Service of the Confederate Government. The Special Condition of the Military Department will be given in the Annual Report which the Superintendent is required to Make to the Commander in Chief of the forces of Alabama.

We Cannot conclude this Report without adverting to the Services rendered by the Corps of Cadets to the State. At the Commencement in July, the Government was pressed and having received information that the State was threatened with an invasion by the enemy, notified the Superintendent, that the Corps of Cadets would be Called into Actual Service. They were accordingly furloughed to Make a Short visit home, and to Rendezvous at Selma, in July, About 50 of them had to pass through Montgomery on their way home. While they arrived at the Wharf, troops were being Collected to repel the Raid of General Roddey. These Cadets, being armed, formed themselves into a Company and offered their Services to the Governor. They were accepted. Met the enemy near Jacksonville, and in the battle which ensued, Conducted themselves with Conspicuous gallantry, obtaining the highest encomiums from all who were present. When they Rendezvoused at Selma at the time appointed, a Raid on the Talladega Iron Works was apprehended and they were sent to Blue Mountain by Genl Maury under whose orders they had been placed. While there, rumors of the approach of the enemy to Coosa Bridge, were received, whereupon the Corps was ordered to the bridge for its defence. The Raid was there turned aside, if it was really threatened.

On the approach of Gen Morgan, the Corps was ordered first to Portland and then to Blakely. At the latter place, a large proportion of the Corps was detailed to drill the Recruits assembled at that place, and performed that duty in such a Manner that many of them were elected Commissioned officers in the Recruit Regiments where-ever the Corps appeared, they afforded a Model of a well disciplined, obedient and efficient body of men. These facts are fully set forth in the discharge of the Corps from duty by Genl Maury and His Excellency the Governor, in which their high Soldierly faculties and prompt and efficient discharge of duty is fully acknowledged.

Since their return to the University, they have performed efficient Service in guarding the property of the public, and the private Citizens of Tuscaloosa against depredations from a Band of Wheeler's Cavalry, for which acts of discipline and subordination, well grounded apprehensions were entertained, of the Corps for safety from a body of officers to be sent by the Commander of this district. For their efficient discharge of this duty, they were Complimented in Special Order by Lieut Col A. B. Landquist, Commanding the Post at Tuscaloosa. All of which is respectfully Submitted, by order of the Board of Trustees,

J. J. Seibels Chairman of
the Executive Board of Trustees.

Mr Gibson from the Committee on Public Lands.
Reported adversely to the Petition

of William Gamble

which Report was Concurred in.

Also, from the Same Committee, Report adverse to the propositin to Refund the Sale of Lands Made by Tax Collectors in the year 1849.

which Report was Concurred in.

Mr. Leeper from the Committee on Penal Legislation,
Reported favorably to the Bill

For the Relief of Leonard Hail.

which Bill, on Motion of Mr Bethea was amended as follows,

Provided, That nothing herein contained Shall interfere with the rights of third parties

Bill was then read a third time and passed,

Mr. Th. S. Dart from the Committee on Corporations,
Reported favorably with Amendments to the Bill

To Incorporate the Pioneer Export Company

which Amendments were adopted

On Motion of Mr Cooper, the Bill was amended as follows, by Striking out the Enacting Clause and inserting

Provided, That Said Company Shall charge no Insurance Shall be effected but the Special request of the Shipper

Bill was then read a third time and passed.

At 1 O'Clock

Then Senate adjourned till 3½ P.M.

Afternoon Session

House Met pursuant to adjournment.

Mr Kilpatrick introduced a Bill

To authorize R. J. Woodward, to Receive funds due Soldiers furnished in Clarke County

which Bill was Read three Times forthwith and passed -
Ordered forthwith to the Senate;

Mr Chambers Moved to take up the Special Order, it being the Bill

To Regulate the distillation of Grain in this State

which Motion was Carried.

The question was on the adoption of the Substitute.

Mr Read Moved the indefinite postponement of the Substitute

On Motion of Mr Sayler, the Bill was postponed in order that Mr Brannen might Make a Report.

Mr Brannen from the Military Committee Reported a Substitute for the Senate Bill and other bills

To provide for the defence of this State.

On Motion of Mr Speaker, (Mr Medaniell in the Chair) the Substitute was postponed and Made Special Order for 12 O'Clock to-morrow.

Also from the Same Committee, Reported favorably with Amendment to the Bill

To authorize the County Records of Polk County to elect a Major

which Amendment was adopted & the Bill Read a third time and passed.

On Motion of Mr Sayler, the "Distillation" Bill was Made Special Order for 10½ O'Clock to-morrow.

House then adjourned till 10 O'Clock to-morrow Morning.

House of Representatives
Friday December 9. 1864

House met pursuant to adjournment
Prayer by the Rev. M. P. Hilman of Malden
Reading of the Journal was dispensed with on Motion of Mr Chambers.
Leave of absence was granted to Messrs Cox and Carlisle.

Call of the Counties

Bills now Introduced

By Mr Chambers

To Amend the Charter of the Enfantin Home Insurance Company

By Mr Gilson

To authorize Certain persons therein named to draw Certain funds due their Respective Companies for the Support of the families of Soldiers

By Mr Cowen

To authorize Commissioners of Bridges to grant Exemption.

By Mr Bates

To the Benefit of the widow and Children of James Morgan deceased.

which Bills were Read the 1st time, forthwith and passed.

By Mr Kilpatrick

To establish agencies among the Young Men of Alabama

which was Read thrice and Referred to the Military Committee

By Mr Bethea

To enable the Montgomery and Eufaula Rail Road Company to pay the Amount of the Stock for Cash heretofore subscribed.

which was Read thrice.

On Motion of Mr Parsons, the Bill was Amended as follows

Provided The Tennessee and Alabama Central Rail Road Company will agree to accept the Bonds to be received on account of the State Said Company is entitled under the 8th Section of an Act approved Feby 18, 1860

Bill was then Read a third time and passed.

By Mr Green

To increase the Revenue of the State

which was Read thrice and Referred to the Committee on Ways and Means.

Senate Bill

For the Relief of the Securities of James Mashburn late Tax Collector of Cotham County

was Read three times forthwith and passed.

Message from the Senate by Mr Morgan Asst Secy

Senate Dec 9. 1864

Mr Speaker

The Senate has originated and passed the following Bills;

of Mobile County

For the Relief of Henry T. Gaines Tax Collector

of Sumter County

For the Relief of Robt Beck late Tax Collector

To provide for furnishing Clothing and other Necessaries to Alabama Soldiers taken as prisoners on Ship Island

in Clarke County

To ascertain the fees of certain officers therein named

And adopted Joint Resolutions for the purchase of Stationery and fuel.

In Relation to the Contract between the State of Alabama and the Alabama Arms Manufacturing Company for the Manufacture of Arms for the State

And passed Many bills

To authorize the Judge of Probate of Henry County to Sell certain School Lands in Said County

To Regulate the fees of the Judge of Probate of Talladega County

To authorize the Commissioners Court of the County of Cherokee and other Counties herein named to increase the Compensation of the County Treasurers

To suspend Sections 765, 769, 770 and 771 of the Code So far as the County of Jefferson is Concerned,

To Repeal Section 3336 of the Code and for other purposes.

To provide for the exchange of Certificates of State Treasury Notes

To change the name of the Montgomery Episcopal Female Orphan Asylum:

To authorize Dept the Secretary M.S. Marsh to draw Money due Indigent Families

of Hale

To Compensate Post Agents &c in the County of Hale

For the Relief of Samuel Johnson late Tax Collector of Perry County

For the protection of the Cottagers of Marion County

For the Relief of Wilson M. Randall of Cherokee County

To authorize R. F. Woodward to Receive funds due the indigent families of Soldiers in Clarke County

And Passed as thereto Shown upon the Journal Roll & Bills,

Making an appropriation for the Support of the Indigent families of Soldiers in the Military Service from the State of Alabama

To incorporate the Orphans Home of East Alabama

To amend Section 1942 of the Code,

To amend the Revenue Laws of this State

And passed House Joint Resolution,

Raising a Committee to examine into the Condition of the State Salt Works,

And has ordered and passed the following Bills

Declaring certain persons thereinmentioned State officers

To authorize the Superintendent of the Insane Hospital to distill Alcohol,

To authorize J. A. Hill to draw funds due Indigent families of Soldiers of Walker County

To extend the provisions of an Act to Continue the Office of Commissioner and Treasurer

And adopted the following Resolution

Resolved

That with the Concurrence of the House of Representatives, the two Houses will adjourn on Tuesday the 13th instant at 12 O'Clock P.M. Sine die.

At 10½ O'Clock, the Special Order came up, it being the Bill

To Regulate the distillation of Grain in this State

The question being on the indefinite postponement of the Bill,

Mr. C. A. Parker moved to Recommit the Bill Subject with instructions to Report a Bill in lieu of same, to prohibit the distillation of grain of any kind or any other article, except fruit, within this State, for one year & during the present war, or Said Committee may think most proper

Mr Gibson Moved to Amend the Amendment of Mr C A. Parker by Confining the prohibition to "Corn or Wheat" alone

Mr Manaseo Moved to lay Mr Parker's Motion on the table which was Carried

And also Mr Gibson's Amendment to the Amendment was laid on the table.

The question then recurred on the adoption of the Substitute.

At 1 P.M.

House stood adjourned till 3½ P.M.

Afternoon Session.

House Met pursuant to adjournment.

Mr Lewis offered the following Resolution which lies over one day.

Resolved That from after 10 O'Clock to-morrow No Member shall be allowed to Speak More than fifteen Minutes on any one Subject Matter by leave of the House.

Message from the Senate by Mr Morgan Asst. Secy.

Senate Dec 7. 1864

Mr Speaker

The Senate has Amended the House Resolution providing to go into an election for three Senators in the 3rd, 4th and 5th Judicial Circuit, by inserting "Saturday" and as Amended, adopted the same,

On Motion of Mr Cooper, Said Resolution was Amended as follows

That with the Concurrence of the Senate, the two Houses will Meet in the Hall of the House on to-morrow at 12 O'Clock, for the purpose of electing a Commissioner of Lands and a Slate Superintendent of Public Schools

Mr Dawson introduced a Bill

To Amend the Charter of the City of Selma

Mr Brandon, a bill

To Repeal An act therein named.

Mr Osborne, a bill

To Amend the Charter of the City of Montgomery

which Bills were Read the First Time forthwith and Referred-

Reports from Standing Committees

Mr. Jones from the Committee on Ways and Means Reports a Substitute for the Senate Bill

For the final Liquidation of the State Bank and Branches

which Substitute was Laid over till to-morrow.

Mr Cumming from the Judiciary Committee Reports favorably with an Amendment to the Bill

Declaring what officers of this State are not liable to Conscription

which Amendment was adopted, the Bill Read a third time and passed.

Mr Dawson from the Senate Committee, Reports favorably to the Bill

For the Relief of Sheriffs.

which Bill was Read a third time and passed-

Also, Reported favorably with Amendment to the Bill

To transfer the Chancery Districts Composed of the Counties of Monroe and Clarke from the Southern to the Middle Chancery District

which Amendment was adopted, the Bill Read a third time and passed.

Mr Parsons from the Same Committee, Reported favorably to the Bill

For the Removal of the Administration of the estate of Jordan O. Smith of Pike to Coffee County

which Bill was Read a third time and passed.

Mr Chapman from the Same Committee, Reported favorably with an Amendment to the Bill

To authorize the Probate Judge of Lowndes County to Sell Certain School lands

which Amendment was adopted, the Bill Read a third time and passed.

Mr Ashurst from the Committee on Education, Reported favorably to the Bill from the Senate,

In Reference to the Report of Trustees of Free Public Schools

which Bill was Read a third time and passed.

House Concurred in the Amendments of the Senate to the Bill

To Incorporate "The Orphans Home Association of the Baptists of Alabama"

Mr Bethea from Joint Select Committee Reported favorably to the Bill

To Regulate the Drawing Redrawing of the Slate

which Bill was Ordered to a third Reading

Mr Medaniell introduced a Bill

To Repeal Section 1015 of the Code of Alabama

as to certain Counties

which Bill was Read the first time forthwith and passed.

Special Order was taken up, it being the Bill

To Regulate the distillation of Grain in this State

The question was on the adoption of the Substitute

Yeas 57
Nays 24

Those who voted in the affirmative are Messrs [redacted], G. W. Ashe, Atkinson, Bell, Bowden, Bolton, Bishop, Brandon, Bush, Brooks, Chandler, Chisholm, Clark, Cobb, Coleman, Cooper, J. M. Davis, M. L. Davis, Dawson, Dent, Ellis, Fannin, Green, Gunter, Grattan, Green, Reed, Hollis, Howard, Howell, Lamb, Lewis, Magee, Malone, Manasco, May, Merrick, McMichell, Moulton, McCall, McInnis, McLellan, Nisbet, Ogburn, Orr, Parish, C. A. Parker, Parsons, Price, Seay, Silas, Speir, Taylor, Vanzandt, Vines, White and Williams - 57

Those who voted in the Negative are Messrs Armstrong, T. R. Ashe, Atchison, Beard, Boyd, Chapman, Charlton, Cobb, Cumming, Evans, Foster, Gordon, Gibson, Keener, Kilpatrick, Leper, Medaniell, J. Mann, Jr., J. Mann, Morrow, McAlexander, Read, Scruggs, and Sibley - 24

Mr Chambers offered the following Amendments

Amend by way of additional Section:

Section 2, Be it further enacted, That it Shall not hereafter be lawful for any person or persons to distill or Convert into Alcoholic or Spirituous liquors, any Indian Corn or the product of any Indian Corn or wheat; and any person who Shall be guilty of a violation of the provisions of this Section, Shall be guilty of a Misdemeanor, and upon Conviction thereof, Shall be fined in a Sum of not less than five thousand Nor More than fifty thousand dollars, and imprisoned in the County Jail not less than one Month Nor More than twelve Months, one or both, at the discretion of the jury trying the Cause.

Amend by Striking out the word "Corn" wherever it occurs in the Bill.

Amend by including in the Oath prescribed before a License to grant the following "And that _____ will not distill or permit to be distilled by any one in _____ employment, any Indian Corn or the product of Indian Corn or wheat."

Mr Manasco Moved to lay Said Amendment on the table, which Motion was Lost.

Yeas 11
Nays 63

Those who voted in the affirmative are Messrs Magee, Malone, Manasco, McMichell, Jno G. Mann, Morrow, Nisbet, McLennan, Seay, Speir, and Vaughan - 11.

Those who voted in the Negative are Mess: Speaker, Armstrong, G. M. Atkins, T. B. Ashe, Ashwell, Atkinson, Beard, Bell, Benners, Battle, Bishop, Brandon, Brooks, Bunch, Bryan, Bryan, Chambers, Chapman, Charlton, Chisolm, Clark, Coleman, Cooper, Cotten, Cunningham, J. M. Davis, M. L. Davis, Dawson, Deal, Ellis, Evans, Faucett, Flowers, Gardner, Gibbs, Graves, Grantham, Green, Hood, Hollis, Howell, Hunter, Lewis, Leper, Liga, Mason, Merrick, Modewell, Jno Moore, McAlexander, McCain, McInnis, McNeill, Nisbet, Ogburn, Orr, Parish, C. A. Parker, Reed, Scruggs, Sims, Sibley, Vincent, White and Williams — 63.

Mr Lewis offered the following Amendment which was lost;

Amend By as to Strike out in Relation to Imprisonment.

Mr Benners offered the following Amendment which was adopted;

And the principal and Securities on any Bond given to procure a license ~~to distill~~ under this act, Shall be liable on their Said Bond for any violation of the laws of this State as to Retailing; and Suit may be brought on Such Bond in the name of the County before any Court of Competent jurisdiction and the Amount recovered Shall be paid into the County Treasury; and the Solicitors of the Several Circuits Shall institute and Conduct Such Suits.

Mr Reed Moved to Amend by Striking out One thousand and inserting five thousand

Which Amendment was adopted.

Mr Sykes Moved to Amend by inserting after the word "wheat" the words, "produced in this State"

Which Amendment was lost,

Mr Cobb Moved to Amend as follows

Provided that any Soldier family in this State Shall be permitted to have distilled for their own use, five bushels of Corn meal to Each

Which Amendment on Motion of Mr McAllen, was laid on the Table

Mr C. A. Parker Moved to Amend by inserting after the word "Wheat", the words," pears, potatoes and Syrup"

Which Amendment was laid on the table.

Mr Solomon offered the following Amendment

That if any Distiller shall offer any whiskey or Alcohol for Sale without Marking the Specific gravity on the Barrel and of the Article sold Short of the brand, Shall be fined One thousand dollars for each offence and every dealer shall be able to inform his Costomers of the Specific gravity of the Article he sells if required to do so, he shall be Subject to a Similar fine

which Amendment on Motion of Mr Ogbourne, was laid on the table.

Mr Bishop moved to Amend as follows

Provided that no one under the provisions of this act, Shall be allowed to distil Rye or Barley

which Amendment on Motion of Mr Cooper, was laid on the table.

Mr Graves moved to Amend as follows which was

And if a person be Convicted a Second time for a violation of this Act, he Shall be imprisoned in addition to the fine imposed by the jury

Mr Sevier moved to Reconsider the vote by which Mr Sykes' Amendment was laid on the table
which Motion was lost.

Mr Chambers' Amendment was then adopted

Mr Gilmer moved to Amend as follows:

"

Mr Gilmer offered the following Amendment which was adopted.

Be it further Enacted, That it Shall be unlawful for any person or persons to Sell any Spirituous liquor which may be imported into the State without first obtaining a license of the Judge of Probate in the County in which the liquor is to be Sold and at the Same time paying to Said Probate Judge, ten dollars per gallon on each gallon of liquor which the license may authorize to be Sold; and any person or persons who Shall violate the provisions of this Section, Shall be deemed Guilty of a Misdemeanor and on Conviction, Shall be fined in a Sum not less than One Hundred nor more than twenty thousand dollars and may be imprisoned in the County Jail for a term not less than Six Months at the discretion of the jury trying the Same.

Be it further enacted That it Shall be the duty of any Probate Judge who Shall receive any Money under the provisions of this act to pay the Same into the State Treasury under the Same Rules, Regulations and penalties as are imposed by law in Reference to license and other fees Collected by virtue of his office.

Mr Medowell offered the following Amendment:

And be it further enacted, That a Tax of Ten Dollars per gallon Shall be Collected on all Spirituous Liquors distilled in this State during the year 1864, unless the Distiller Shall exhibit to the Tax Assessor, a proper and legal License under the Laws heretofore in existence, and also make affidavit that he or they did not distil any grain or other products prohibited by Said Laws.

Which Amendment on Motion of Mr Manarco, was Laid on the table.

Mr Benners offered the following Amendment which was lost:

That nothing in this act Contained Shall prevent any person having a present Contract with the Governor to distil Spirituous Liquors from Complying with Said Contract, according to its terms; and Liquors distilled under Such Contract, Shall not be liable to Tax under this act.

Bill was then Read a third time and passed.

House adjourned till 10 O'Clock, to-morrow Morning.

House of Representatives
Saturday Decemb. 10. 1864

House Met pursuant to adjournment
Prayer by the Rev Mr Tichenor of this City
Journal was Read and approved.

On Motion of Mr Sykes, the Call of the Counties was dispensed to take up the Senate bill
To abolish the Office of Land Commissioner
and to take from the Table the House bill
To provide for withdrawing the public Lands from Market &c -

Senate bill was Read thrice and Referred to the Committee on Public Lands with instructions to Report as Soon as possible.

House adopted the Senate Resolution proposing to adjourn Sine die on Tuesday next at 12 M.

On Motion of Mr Sewell his Resolution introduced yesterday limiting Speakers to fifteen Minutes, was taken up and

Mr Chapman moved to Strike out "15" and insert "10"
which Motion was adopted
And the Resolution was adopted.

Senate Bills

For the Relief of Margaret Guttierrez of Talladega County

In Relation to the City Court of Montgomery

To Amend Section 852 of the Code

To Amend an act entitled "An act in Relation to the Officers of Court" approved November 14. 1862

were Read a third time and passed.

Senate Bills

To Repeal Certain laws therein named. So far as they apply to the County of Jacksons, and for other purposes.

Authorizing Suits to be brought for and against the Alabama Insane Hospitals in the County where located

Was Severally Read a third time and passed.

House Bills.

To Regulate the Training Department

For the Relief of Tax Collectors in this State

For the Relief of Executors, Administrators and Guardians

To change the Rule of Evidence in actions for Torts

To Regulate the trials of Indictments under Sections 3173 and 3174 of the Code of Alabama.

For the Relief of the heirs of Joseph Kemp

Was Severally Read a third time and passed.

For the protection of Stock

On Motion of Mr. Foster, said bill was amended by Engrafted Rider as follows

Provided No one shall be liable under this act who has sent the Cattle and Management either by himself or his Overseer of his Slave or Slaves at the time of the offence Committed; and provided further that persons absent from home in the Military Service of the Confederate States or in the Militia of this State and who have no Overseer, shall be liable in its provisions.

Bill was then Read a third time and passed.

Yeas 42
Nays 41

Those who voted in the Affirmative are: Mess: G. W. Ashe, Ashurst, Atkinson, Beard, Bell, Beeman, Bishop, Brewer, Brooks, Bryan, Chapman, Charles, Cobb, Coleman, J. M. Coats, Ellis, Evans, Foster, Gardner, Gibbs, Green, Hood, Howell, Jones, Lewis, Malone, Manning, Mays, Merritt, Jno Moore, McInnis, McLellan, Osborne, Orr, Parish, Perry, Seay, Sibley, Vaiguender, Vincent, White and Wolfe 42

Those who voted in the Negative are: Speaker, Armstrong, T. B. Ashe, Bethea, Bryan, Bush, Chambers, Chisholm, Clark, Cooper, Cottle, Cummings, M. L. Coats, Coleman, Cook

Fauvin, Groves, Grothaus, Hall's, Hocutt, Lander, Leaper, Ligon, Magee, Mitchell, Modawell, J. G. Moon, Morgan, Mullen, McAlexander, McCain, McLean, Nisbet, C. A. Parker, Parsons, Price, Read, Sims, Eyster, Taylor and Wolff—41

House Concurred in the Amendments of the Senate to the House Bills

For the protection of the Officers and Citizens of Alabama

Making an Appropriation for the Support of the Indigent families of Soldiers in the Military Service from the State of Alabama

To increase the fees of Jurors and Witnesses in Mauge and other Counties

To Remove the Administration of the estate of W. J. Scott deceased, from Green to Perry County

House refused to Concur in the 3rd Amendment of the Senate to the House Bill

To Amend the Revenue laws of this State

And also Concurred in the 2nd and 4th Amendments.

Mr Head Moved to Amend the 3rd Section as follows;

"Taxes due under five dollars May be paid in Confederate Money at the Rate of 18 for 1 in place of gold and Silver and 3 for 1 in dues to the State of five dollars, in lieu of Bank paper

Which Amendment was lost.

Mr Chambers offered an Amendment as Section 5 in lieu of Section 5 of the bill

Which Amendment was adopted.

Mr Mauseo Moved to Suspend the Special Order,

Mr Price Moved to lay Said ~~Amendment~~ Motion on the table which Motion was lost,

Message from the Senate by Mr Morgan Asst Secy

Senate Dec 19. 1864

Mr Speaker,

The Senate has Originated and passed the following Bills;

To provide for the Collection of Monies due the State

in Lauderdale Lowndes County

To Incorporate the St James Church School

And passed the following House Bills;

For the Relief of Francis M. Williams and Elizabeth Prescott of Jefferson County

To Incorporate the Protestant Episcopal Church in the Diocese of Alabama H

To Amend an Act to aid in arresting de-

Serters and Stragglers

And Amended as therein Shown said passed House Bills;

For the protection of the Citizens of Alabama

To Remove the administration of the estate of N. J. Scott deceased from Greene to Perry County,

And has originated and passed a Bill

For the Relief of John Wilkerson.

Message from the Governor by J. H. Hutchins Jr Privt Secy.

Mr Speaker

His Excellency the Governor has approved the Bills which originated in the House of Representatives, of the following titles;

An Act for the Relief of Certain Tax payers therein named.

An Act for the Relief of the Sureties of Soldiers of

Jackson County,

An Act to change the jurisdiction of the administration of the estate of John Salter deceased, from Mobile to the County of Shelby

An Act to amend an Act therein named,

An act to pay W. S. Barton for Stationery furnished the Sheriff.

An act to increase the fees of certain Officers therein named.

An act to fix the Eastern Boundary of the City of Mont-

gomery

Joint Resolutions of thanks to the Cadets of the State of Alabama:

An act to extend the time within which Official Bonds must be

filed

An act to limit and Construe An act approved 30th Jany 1866. entitled An act to Construe Section 1738 of the Code and for other purposes.

Joint Resolution Relating to the Regimental Flags of Alabama Volunteers;

An act to authorize R. J. Woodward to Receive the funds due the Soldiers families in Clarke County;

An act to establish the City Court of Selma

An act to Confer jurisdiction in the Probate Court of Dallas County in Certain Cases therein named;

An act to authorize W. G. Mc Donald to erect a fish corp the Marbry Road in Montgomery County

An act to Amend An act therein named So as to provide for families rendered destitute of Subsistence in Cherokee, DeKalb and other Counties by the public enemy;

An act to fix the price of the Reports of the Supreme Court

An act to increase the fees of Justices of the Peace and Constables in Montgomery County and for other purposes

An act to provide Compensation for the County Commissioners of this State;

An act for the Relief of the Probate Judge of Lawrence County

An act to increase the fees of the Sheriff of Russell County;

I also, herewith Return to the House of Representatives in which they originated, without the approval of the Governor and with his objections thereto, the following bills

An act to Remove the Guardianship of A. A. Sherrett, Guardian of W^m H. Griffith and for Bibb County to Shelby County;

An act to Change the fines and forfeitures provided by the Code,

An act for the Relief of Brief A. Chancellor Administrator,

Mr Morrow from the Committee on Enrolled Bills, Reported the following as Correctly enrolled:

To Reimburse Indigent families of Soldiers in the County of Lawrence, with funds of which, they have been Robbed by the enemy

To Suspend the operation of Certain Acts therein named and otherwise provided by Law.

For the Relief of B. F. Garrison late Collector of Perry County

For the Relief of Thomas Kelly

Joint Resolution to Amend the Constitution.

For the Relief of I. F. Samuel Sheriff of Tuscaloosa County

For the Relief of Jesse Mardis of Clarke County

For the Relief of Tax Assessor and Tax Collectors of Au-

Tango County

For the Relief of Certain Tax payers therein named.

For the Relief of the families of Soldiers in Jackson

County

To Amend the Charter of the City of Mobile

To pay William S. Barton for Stationery furnished the State,

To Amend an Act therein named.

To Change the jurisdiction of the Administrator of the estate of John Selma deceased from Mobile to Shelby County

To Remove the Guardianship of A. A. Sterritt, Guardian of William M. Griffin and Mary R. Griffin from the County of Bibb to the County of Shelby,

For the Relief of Certain Tax payers therein named.

For the Relief of Grief A. Chambers Administrator

To Confer jurisdiction upon the Probate Court of Dallas County in Certain Cases therein named.

To authorize Mr G. Merriwether to erect a gate across the Marks Road in Marengo County

To change the fines and forfeitures prescribed by the Code.

Joint Resolution Relating to the Regimental Flags of Alabama Volunteers

Joint Resolution of thanks to the Ladies of the State of Alabama

To provide Compensation for the County Commissioners of this State

To increase the fees of the Jailer of Rapell County.

To fix the Eastern Boundary of the City of Montgomery

To increase the fees of certain officers therein named.

For the Relief of the Judge of Probate of Lawrence County

In Relation to the Support of Indigent families of Soldiers in Winston County

To increase the fees of Justices of the Peace and Constables in Montgomery County and for other purposes.

To extend the time within which official Bonds must be filed.

To limit and Condition an act approved 3th Jany 1866 & Condition Section 1738 of the Code and for other purposes.

To establish the City Court of Selma

For the Relief of the heirs of R. H. Singer of Barbour County.

To fix the price of the Reports of Supreme Court.

To amend an act therein named so as to provide for funding Revenue certificates of Indebtedness in the Counties of Cherokee, DeKalb and other Counties, by the public owners.

To authorize R. J. Woodward to draw fees as due Soldiers families in Clarke County.

To establish the City Court of Selma

For the Relief of the heirs of R. H. Singer of Barbour County.

To fix the price of the Reports of Supreme Court.

To amend an act therein named so as to provide for funding Revenue certificates of Indebtedness in the Counties of Cherokee, DeKalb and other Counties, by the public owners.

To authorize R. J. Woodward to draw fees as due Soldiers families in Clarke County.

Mr Gibson from the Committee on Public Lands Reported adversely to the Bill

To provide for the withdrawal of the public Lands belonging to this State from Sale and Market

On Motion of Mr Parsons, the Bill and Report were Laid on the table.

Also, from the Same Committee, Reported favorably to the Senate Bill

To abolish the Office of Commissioners and Draftsmen in the Land Office

Mr Parsons Moved to Lay the Report and Bill on the Table, which Motion was Lost,

At 1 O'Clock,

House Stood adjourned till 3½ P. M.

Afternoon Session

House Met pursuant to adjournment.

Senate bill to abolish the Office of Land Commissioners, Was taken up.

Mr C. A. Parker Moved to Strike out $500 and Insert $1000

which Motion was Lost,

The Constitutional Rule was Suspended.

Ayes 51
Nays 12

Those who voted in the Affirmative are, Messrs Speaker, G. McAshan, Atkinson, Bell, Bowman, Bishop, Brooks, Bryan, Burgess, Burt, Chapman, Chisholm, Cobb, Coleman, Cravens, Dent, Ellis, Farmer, Foster, Gardner, Gibson, Green, Greer, Hall, Hollis, Howell, Kenan, Lewis, Leaper, Logan, Mann, Mitchell, Mcdowell, J. Moore, Morrow, Mosely, McAlexander, McCrea, McKenzie, McLellan, Nesbit, Osborne, Orr, Parish, C. A. Parker, Reed, Seay, Sims, Taylor, Vaughan and Wescott — 52

Those who voted in the Negative are Messrs Brandon, Chandler, Cooper, Cotten, Cummings, Howard, Kilpatrick, Manasco, Merrick, J. G. Moore, McLemore, Scruggs, and Tyler — 12.

Bill was Read a third time and passed.

Mr Mordecai Moved to lay the Communication of Mrs Vaughn on the "Primacy Rock" on the table and that it be Spread on the Journal of the House

which Motion was Carried.

Reports from Standing Committees

Mr Sykes from the Committee on Corporations Reported favorably with Amendment to the Bill

To Incorporate the Talladega Sulphur Springs Company

which Amendment was adopted and the bill read a third time and passed.

Mr Read from the Committee on Salt Supply, Reported adversely to the proposition to authorize the Sale of a sufficient quantity of Salt at the Market price to pay all expenses of Manufacture and to furnish the balance of the Salt to Soldiers families at the Cost of transportation.

which Report was Concurred in

Mr C. A. Parker from the Committee on Propositions and Grievances Reported favorably to the Bill

In Relation to the Receipt of Counterfeit Confederate Treasury Notes by Certain public officers of this State

House refused to order it to a third Reading.

Mr. Reported the Bill for the Relief of R. S. Pinchett

which was Read a third time and passed—

Mr Mc Innis from the Same Committee Reported favorably to the Bill

To Regulate the distribution of Whiskey and Alcohol

Under State Control

Mr Manasco Moved to lay the bill on the table which Motion was lost

Bill was Ordered to a third Reading.

Mr Manasco from the Committee on Accounts and Claims Reported favorably to the Bill

To pay for Services Rendered during the present Session of the General Assembly

which bill was Read a third time, and passed.

Also, from the Same Committee Reported favorably to the Bill

For the Relief of James E. Moon

Mr Orr moved to amend by Striking out $860 and inserting $1120

which motion was lost

And on Motion of Mr Cooper, bill was laid on the table.

Also, from the Same Committee Reported favorably to the Bill

To fix the pay of the Adjutant and Inspector General

which was Read three times forthwith and passed.

Mr Coleman from the Committee on Privileges and Election Reported favorably to the Bill.

To Amend the Laws in relation to Elections in the State

which Report was Concurred in.

Mr Read from the Committee on Ball Supply Reported with amendments to the Bill

To Amend the Act approved 9th Dec 1856 and for other purposes

which Report was Concurred in.

Mr McCain from the Committee on Penitentiary Reported a Bill

To authorize the General to establish the Manufacture of Cotton and Wool Cards in the State Penitentiary

which bill was Read twice and laid on the table.

Mr Benners from the Millitia Committe Reports adverse to the Senate Amendment to the House bill

To exempt Millers from Military Service in this State

Mr Reid offered the following Amendment which was Read

Provided That this Act Shall not be So Construed as to apply to Mills which have not the Capacity of grinding More than ten bushels of grain per day erected Since 1861

House Refused to Concur in the Senate Amendment,

Mr Benners from the Judiciary Committe, Reported favorably to the Bill

To authorise Probate Judges to appoint General Guardians for their Respective Counties

which Bill was Read a third time and passed.

Mr Dawson from the Same Committe, Reported favorably with an Amendment to the Senate Bill

To Incorporate The Alabama Savings Bank at Montgomery

Which Amendment was adopted, the Bill Read a third time and passed.

Also Reported a Substitute for the Bill

For the Relief of Thomas B. Smith of Marion County

which Substitute was adopted, the Bill Read a third time and passed.

Mr Clark from the Same Committe Reported favorably to the Bill

To Regulate the fees of the Judge & Probate Clerk of the Circuit Court, Sheriff and Members of the Commissioners Court of Washington County,

which Bill was Read a third time and passed.

Mr McAlexander from the Same Committee Reported adversely to the Bill

To Amend Section 1681 of the Code

which Report was Concurred in

Also from the Same Committee Reported favorably to the Bill

For the protection of Cattle in Washington County

which Bill was Read a third time and passed.

Mr Chapman from the Same Committee Reported favorably to the Bill

To authorize Alexander McKeithen of Autauga County to Rent Certain Lands therein named

which Bill was Read a third time and passed.

Mr Benners from the Same Committee Reported favorably to the Senate Bill

To allow Plaintiffs in Attachment to be witness in Certain Cases.

which Bill was Read a third time and passed.

Also from the Same Committee, Reported favorably to the Senate Bill

To Repeal the proviso to the third Section of an Act, entitled "An Act the More effectually to secure and collect fines and forfeitures and for other purposes" Approved February 25, 1860

which Bill was Read a third time and passed.

Mr Cooper from the Same Committee, Reported a Substitute for Resolution

For the Relief of Indigent families in this State

Mr Cooper offered the following Amendment which was read,

Section 3. And be it further enacted, That if any Said Sheriff shall be unable to employ such wagon, teams or drivers without having to pay extortionate prices, he must report the fact to the Said Court of County Commissioners who if they shall believe the public interest demands the Same, may instruct the Said Judge of Probate to issue an Order to Said Sheriff to impress as many wagons, teams and drivers as the Said Judge May designate, to be paid for out of the County Treasury of his Said County; and the Said Court of County Commissioners Must make Such appropriation to pay the Same as they may deem just and reasonable, and no more than one imprisonment Shall be made of any one man until a like imprisonment has been Made upon every other Owner of Such Means of transportation in the County of Said Judge of Probate ordering Said imprisonment; and imprisonments Shall not be made on plantations of Non-Residents unless in case of extreme Necessity of which the Court of County Commissioners Shall be the Judges.

Bill was Read a third time and passed.

Mr Bennett from the Same Committee, Reported favorably with Amendment, to the Senate Bill

To increase the fees in Criminal Cases,

which Amendment was adopted and the bill read a third time and passed.

Message from the Senate by Mr Morgan Asst Secretary

Senate Dec 10. 1864

Mr Speaker.

The Senate has originated and passed a Bill

To authorize the Governor to establish a Manufactory of Cotton and Wool Cards at the Penitentiary

And passed Joint Resolution

Transferring the duties of State Superintendent of Education to the Office of the Comptroller of Public Accounts

The Senate insists on it Amendments to the House Bill
To amend the Revenue laws of this State

And asks for a Committee of Conference.

Mr Rogers, Clarke and Riddle of Mason the Committee on the part of the Senate

On Motion of Mr Lawler, the rules of this House was Suspended to take up the Revenue bill as amended by the Senate.

House agreed to a Committee of Conference on Said Bill. Messrs Lawler, Benson and Gross were appointed Committee on the part of the House.

Mr Lawler from the Committee on Ways and Means. Reported Adversely to the Bill

To authorize the Governor of the State, to purchase ground to enlarge the Capitol Square

Which Report was Concurred in.

Also favorably to the Senate Bill

To increase the power of County Commissioners of Pike County and for other purposes.

which Bill was Read a third time and passed.

Also favorably to the Bill

To authorize the Governor to Rescind Certain Contracts therein named

which Bill was Read a third time and passed.

Mr C. A. Parker from the Committee on Propositions and Grievances Reported Adversely to the

Petition of M. C. Thorn of Franklin County

which Report was Concurred in.

Annual Report of the Commissioner of Public Lands.

State Land Office
Montgomery Ala. Nov. 1st, 1864

Hon. N. H. Crumpton
Speaker of the House of Representatives
Sir;

The following tabl exhibits the Sales of

Public Lands at the several United States Land Offices in the State, from the 1st November 1863 to 1st November 1864:

Land Offices	Donation	At $1.50	At $3.	At $10.00	Total Cash
Elba		239 83	41 99	39 99	585 64
Greenville			180 00	123 10	1771 02
Montgomery		319 77½			479 66
St. Stephens				2000 24¼	20.002 42
Tuscaloosa	64000		2568 06	1947 59	27.180 08
	64000	559 60½	2790 05	4110 92¼	50.138 74

There have been no Sales of Land in the Coosa Land District since December, 1862, the office having been Closed at that time preparatory to Consolidating that District and the Huntsville Land District. Under an Act approved December 8. 1862. "To Consolidate Certain Land Districts therein named" the Register and Receiver at Centre was ordered to Remove the Maps, books, papers &c from his Office and those of the Huntsville Office to Huntsville. This order was effected on 10th December 1862, but that officer was unable to Comply with it at the time, being in the Military Service of the Confederate States, In October 1863, he returned to Centre, having obtained a discharge from the Military Service but then it was not practicable to execute the Order as to the documents in the Office at Huntsville, an account of the public enemy being in possession of that portion of the State, North of the Tennessee River. The Books, Maps, papers &c of those two offices remain as they were. In view of the proximity of the public enemy to Centre, I would respectfully Suggest that authority be given to direct the Removal of that office for the present to Some Safer locality when Sales of Lands in that District might again be Commenced.

At the last Annual Session of the General Assembly, a donation of a Section of public Land was made to Miss Emmer Pearson of Cherokee County for public Services rendered, I have filed in this office, a Certificate from the Register and Receiver of Jacksonville, of the location of her Claim in that District of 640 acres of Mineral land.

Respectfully

I. G. Bradford
Commissioner of Public Lands.

Communication of Mr Yancey on the "Primary Rock"

Mister Speaker

This Rock comes into the State at the East and North East reaching West and South to that of the West Side of the Coosa River forming the great bed of Shoals and Rapids in the Coosa River for more than 60 Miles in length. A Knowledge of the Primary and Subordinate Rock furnishes us with a Rule by which we decide whether a particular kind of Mineral May be expected to be found in a certain Locality also, a Knowledge of the general Characteristics of the Rock and the relation of particular Minerals to the general Character of Rocks. Such knowledge is useful. It gives a general idea of the position in which Minerals are found and of their Relation to each other. We will first Speak of granite. This Rock is found here. There is a heavy vein or Streak of granite about Midway the primary Belt in this State reaching from the Coosa River running to the North East. So far as we have surveyed it, this Rock is Composed of Quartz-feldspar and Mica and Characterized by the absence of all Stratified and is Composed in all directions. Wherever we find Granite

we may look for Tin, Iron, Copper, Lead, Cobalt, Silver and a few other Metallic ores. Gneiss. This Rock is found here in abundance. It is Composed of the Same Minerals as Granite but arranged in distinct layers and Sometimes, it May be Called a Stratified granite. On the South and South East of the heavy Streak of Granite of which we have Spoken, it is found in abundance and as it Spreads out to the South East, it runs into that of Mica Slate. Quartz Rock is found here and feldspar, in abundancy, but as the Metamorphic Rock forms the largest portion of the Rock of this part of the State, we will notice it next. This Rock, the Metamorphic, is also called Transition Rock. To this Class, belongs a great variety of Minerals, Gneiss, Mica Slate and this Rock Covers a track of Country of great extent. The Metamorphic Rock often assumes the appearance of Granite pudding Stone or Stratified Rock. This Rock is found here and May be traced from the West end of the belt west of the Coosa River to that of Georgia South and North Carolina, Virginia and Maryland. This Rock is the home of Metallic Sulphurets. The Mineral veins of this period run either parallel with the Stratification or across the Strata in More or less inclined Angles or form isolated elliptical Masses or Lodes as Iron, Zinc and Lead ores generally do. This Rock is the most productive in useful Minerals and when a faint indication of Something valuable is found, it is generally worth the trouble to follow and dig after it. The Volcanic Rock is found imbedded in the transition Rock. This Rock is found here. It is a Common Rock in and on the belt. It is called Trap Rock. This Rock is the most valuable as a Matrix of useful Minerals such as Copper, Gold, Silver, Iron, Sulphur, Alum, Slate, Arsenic, Lead, pumice Stone. We can Show as good pumice Stone as is to be found anywhere and in large beds. We can show as good alum Slate and heavy lodes of it as anywhere else on the belt. Our time will not allow us to Speak of Many of these rocks. Suffice it to Say that we have the Primary Rocks here, granite, Gneiss, Mica Slate with all the Subordinate rocks, Hornblende, Rock Serpentine, Crystalline Limestone, Quartz Rock, and the trap rock. We have here the primitive Sandstone in heavy bodies. It is good as a fire-rock, one of the best in the world. We have not time to go and point out when each Rock May be found on our part of the belt. We could have no time, give you the Townships and Sections where Such and Such veins of Rock are to be found. One thing we will notice is that all of the Rock North West of the large Granite Streak has a pitch to the South East and that part of the belt South East has a pitch to the North West, While the Granite appears to have no pitch in any direction. When we start on the Granite Streak and go to the North West, we ascend the Rock until we reach the Millstone Grit, the Coal Measures, Carboniferous Limestone, Carboniferous Sandstone. We ascend to Such a heights that it is Supposed that Tuscaloosa, is Some 1700 feet higher than that of the granite. When we go South East, from the Granite, we ascend in the Same Manner as that on the North West. On the South East of the Granite Streak, there are not Near diversity of rocks. There is a heavy Streak of Gold bearing Slate and it is true there are Some trap rocks but there are Scarce. On the North West Side of the Granite Streak, there are large belts of trap rock forming large and high hills with Streaks of Granite feldspar running in veins with and through the trap rocks and it is clear that there is a great many veins of the Copper bearing rocks on the North West Side of the Main Granite Streak, than there is on the South East Side. How it is further East, I cannot tell but this is the Case as far as I have Surveyed the Rocks. It is admitted by all that where ever the Primary Rocks are there are valuable Minerals to be found. All admit that in Georgia and Tennessee, that they have all of these Metal-bearing rocks and that that Country is a good Mining Country which is a fact. Now Sir, we have the Same Rock, the Same Slates and we have the Same Metals. I pledge myself to Show the truth on this Subject. We have the very Same Belt of rocks and the Same Metals that they have East and North east of us. And I am of opinion, that if the State would have the Primary Rocks Surveyed in a regular Manner by Some Competent Man, it would be much to the advantage of the State. All of the former Surveys have been so limited that they have done no good but to the Rocks. All that I have Seen from professional men by way of Reports on the Rocks or different formations of the State have been Confined in a great measure

to that of the Coal Measures and that of Limestone. All very good Iron Ores. Here is a large belt of Rock that Contains Minerals far Surpassing that of Coal and Iron and yet there has been Nothing done by way of a Regular Survey on it. As I have Seen the most important of all the State Do for as valuable Minerals are Concerned. A want of a regular Survey of this Rock has thrown the State behind the times. Other States here had Regular Surveys made and are at this time developing their Mineral resources and that to the Making of the County and these Mineral resources will soon establish every other product of the County. We of Alabama may do Likewise and reap largely of the rich bounties of Nature. How long will it be ere we will Say. I Can't tell what we as a people will do. One thing is Sure, if we Stand Still, as we are aware, others from a distance will have obtained our Minerals and we May Stand and See them dig up Millions and Ship it away from our Midst which we will not be allowed to participate in the profits.

James Faucett.

House adjourned till 10 O'clock Monday Morning.

House of Representatives
Monday December 12. 1864

House Met pursuant to adjournment

Prayer by the Rev Mr Vansandt of the House

Journal was partially Read and On motion the Reading of the Balance, Dispensed.

Mr Moulton Moved to take up the Senate bill

In regard to the Reorganization of the Militia.

which Motion was Carried.

Mr Reed Moved to lay the Substitute Reported by the Military Committee, on the table.

which Motion was Lost.

Yeas 17
Nays 60

Those who voted in the Affirmative are Messrs Bettes, Brooks, Chamberlain, Chaplin, Jones, Magee, Mac Mitchell, John Moore, Moulton, Mc Innis Parsons, Prince, Read, Taylor, Williams and Wolff – 17.

Those who voted in the Negative are Messrs Speaker, Armstrong, G. W. Atkins, Atkinson, Atkinson, Berry, Bishop, Brown, Bryant, Bryan, Bush, Charles, Chisholm, Clark, Cobb, Coleman, Cooper, Cotton, Crosby, J. McCrillis, M. S. Currier, Cameron, Cook, Ellis, Frost, Gardner, Gilman, Green, Greenleaf, Grow, Hall, Hallis, Howard, Howell, Keenan, Kilpatrick, Leeper, Lewis, Libby, Mahan, Morrison, Merrick, Mcdowell, Jr. G. Moore, Morrow, Mc Alexander, Mc Clear, Mc Dillon, Mc Lewis, Mabel, Osgood, C. A. Parker, Parsons, Peas, Pike, Libby, Dyke, Soule, Vansandt and White – 60

Substitute was then adopted.

Message from the Senate by Mr Morgan Asst Secy.

Senate Dec 12. 1864

Mr Speaker

I am directed to inform the House that the Senate has passed the following House Bills

To authorize the County Records of York County

To amend the Charter of the Bangor Horse

To authorize Certain persons therein named to draw certain funds due their respective Counties for the support of Indigent families of Soldiers.

For the Relief of Jeremiah Faith.

To authorize Commanders of the Clay Militia to grant exemptions.

For the Relief of the widow and Children of James Morgan deceased

To amend the Charter of the City of Selma.

For the Removal of the administration of the estate of J. C. Smith from Pike to Coffee County

To authorize the Probate Judge of Greene County to Sell Certain School Lands.

To transfer the Chancery District Composed of the Counties of Monroe and Clarke from the Southern to the Middle Chancery District.

For the Relief of Sheriffs

To Amend the City Charter of Montgomery

To Amend Section 1013 of the Code in Certain Cases.

To Regulate the Treasury Department

For the Relief of Executors, Administrators and Guardians.

The Senate has Amended as therein Shown and passed House Bills.

Making an appropriation for the Support of the Indigent families of Soldiers in the Military Service from the State of Alabama,

To Amend an act Relating to the ~~Ala~~ Tennessee and Alabama Central Rail Road,

The Senate Concurs in the Amendments of the House to the Senate Bills.

In Relation to the Compensation of the Officers of the Penitentiary

The Senate Amends Senate bill Amended by the House and as Amended Concurs in the House Amendment

The Senate disagrees to the Amendment of the House to Senate bills

To authorize the destruction of Coupons of State Bonds when redeemed

To guard and protect the appropriations Made by the General Assembly of this State for the Support of Indigent families of Soldiers

And has originated and Passed the following Bills.

To incorporate the Samaritan Society of the Methodist Protestant Church.

To provide Pensions for the families of Alabama Soldiers and education of their Children.

To Repeal An act entitled An act to Require the Commissioners Courts of this State to furnish Blanks to Assessors &c for so far as it relates to the Court of Commissioners and other Counties

Amendatory of and Supplemental to An act therein named Relating to Clothing for Alabama Soldiers in Northern prisons

To Require the Sole Commissioner to Make Quarterly Reports to

For the Relief of William Kirkham.

To authorize Wm. T. Bush of Cook County to draw the funds for Indigent families of Soldiers in Scott County

To incorporate the Chemical Manufacturing Medical Association of Alabama.

Joint Resolution on the subject of organizing a Battalion of State Troops.

The Senate recedes from its Amendment to the House Bill

To amend Section 1942 of the Code

And insists on its Amendment to the House Bill

To exempt Millers from Military Service in this State

Mr Foster offered the following Amendment to the Substitute of the Committee of the House to the Senate "Millers" bill;

Amend by striking out the words, "except Officers and Members of the Legislature and Judicial Departments and Sheriffs"

Mr Sims moved to amend by striking out "apply to Chambers County only"

Which Amendment was laid on the table,

Mr Morrow Moved to Amend Mr Foster's Amendment as follows

That every Member of the Legislature Corporate or Age of old hereafter shall be liable to Militia Duties and no Member shall hold any office either by appointment or election.

At 1 O'Clock

House stood adjourned till 3½ P. M.

Afternoon Session

House Met pursuant to adjournal.

On Motion of Mr Cooper, Consideration of the "Militia" Bill was Suspended to enable him to introduce a Joint Resolution

Mr Cooper offered the following Joint Resolution

Resolved That with the Concurrence of the Senate, the Resolution providing to adjourn at 1½ P. M. on Tuesday is hereby rescinded

Mr Sykes moved to postpone the Consideration of the Resolution till 10½ O' Clock to-morrow

Which Motion was Carried.

On Motion of Mr Saucier, the "Militia" bill was postponed till he could Make a Report.

Mr Saucier from the Committee of Conference on the "Revenue" Bill Made a Report embodying the Amendments of the Committee

Which Report was Concurred in

Mr Sanders from the Committee on Ways and Means Reported a Bill

"Making appropriations for the fiscal year ending 30th September 1865

Which Bill was Read three times forthwith and passed-

Mr Cooper resumed the Consideration of the "Militia" Bill.

Mr Cooper Moved to lay the Amendments of Mr Foster and Mr Morrow on the table

Mr Foster Called for a division of the question which was first taken on laying Mr Morrow's Amendment on the table

Which was Carried

Yeas 51
Nays 22

Those who voted in the Affirmative are Messrs Speaker Armstrong, G. M. Arthur, Atkinson, Battle, Brooks, Bryan, Bush, Byers, Chanler, Chapman, Chisholm, Cobb, Cumming, M. S. Davis, Dawson, Deal, Fannin, Foster, Gardner, Gibson, Green, Grosvenor, Grow, Hall, Harris, Hawkins, Jones, Keenan, Kilpatrick, Lawler, Leper, Sayer, Sigar, Magee, Mer, Merrick, Mitchell, Macdonald, John Moore, Jno. Moore, McAlexander, McCord, Nisbet, Parish, C. A. Parker, Price, Sanford, Sims, Vaiscault, Vincent, Williams and Wolff - 51

Those who voted in the Negative are Messrs Ashurst, Bell, Bishop, Brandon, Chastain, Clarke, Cobb, Coleman, Cooper, Hollis, Howell, Lewis, Manning, Morrow, McInnes, McLellan, Ogburn, Parsons, Reed, Scruggs, Tibby & Sykes, - 22.

Pr.

The question was then taken on laying Mr Foster's Amendment on the table

Which Motion was Carried,

Yeas 40
Nays 35

Those who voted in the Affirmative are Messrs Speaker Armstrong, G. M. Arthur, Atkinson, Battle, Bishop, Brandon, Chastain, Clark, Cobb, Cooper, Cobb, J. M. Davis, Deal, Gardner, Gibson, Grosvenor, Green, Howell, Leper, Lewis, Sigar, Merrick, Jno. L. Moore, Morrow, McCord, McLellan, McLemore, Nisbet, Parrish, Scruggs, Sims, Tibby, Sykes, Vaiscault, Vincent and Wolff - 40

Those who voted in the Negative are Messrs Battle, Brooks, Bryan, Byers, Chanler, Chapman, Chisholm, Coleman, Cumming, M. S. Davis, Dawson, Fannin, Foster, Green, Hall, Hollis, Hawkins, Jones, Keenan, Kilpatrick, Lawler, Magee, Manning, Mer, Mitchell, Macdonald, J. Moore, McAlexander, McInnis, Ogburn, Parish, C. A. Parker, Price, Reed & Wilkins, 34 -

Mr Cumming Moved to Amend as follows

Insert after the word "Sheriff" in the 10th line of the 1st Section, the words, "And all persons who were County Commissioners on the 1st day of September last"

Mr Davis Moved to Amend Said Amendment as follows

"County Superintendent of public Schools and County Treasurer"

Which was adopted

Mr Morrow Moved to Amend Mr Cumming's Amendment as follows

"Also all regularly ordained Ministers of the Gospel who have Care of a Church or Churches; also one blacksmith in each Beat in each County in this State"

Mr Cumming called for a division of the question

The question was first taken on Mr Mansons Amendment ~~which~~ ~~was~~ as to "preachers" which was adopted

And then on ~~Mr~~ "Blacksmiths" which was adopted.

Mr Groves moved to Amend Mr Cummings Amendment as follows:

"Necessary Millers and physicians now exempt by law"

Mr Cooper moved to lay said Amendment on the table which Motion was lost

And the Amendment was adopted.

Mr Hollis offered the following Amendment which was lost;

"Mail Contractors"

which was lost.

Mr Boykin moved to add;

"State Contractors"

which was lost

Mr Clarke moved to amend as follows:

"All School teachers exempt under the Conscription Laws of the Confederate State of America"

which was adopted.

Mr Cattle moved to Amend as follows:

After Sheriff, add "County Treasurer and Circuit Clerks"

which was adopted.

Mr Sewell moved to Amend as follows:

"Tax Collectors, Assessors, Attorney General and Solicitors"

which was adopted.

Mr Reed moved to Amend as follows:

"All editors and printers of Newspapers now exempted by the laws of the Confederate States"

which was adopted.

Mr Brenda moved to Amend as follows:

"All Shoemakers and Tanners handsfor exempt"

which was adopted.

Mr Modewell moved to Amend as follows

"Each and every man who has a wife and Nine Children dependent on him for Support"
which was adopted.

Mr Ogbourne Moved to Amend as follows

"And also Such offices in the Civil Service of the Confederate States as are exempted from the Military Service of the Confederate States"
which was adopted.

Mr Manasco moved the previous question
which Motion was lost.

Mr McLemore moved to amend as follows

After "Sheriff" add "and their deputies"
which was lost.

Mr Parsons moved to Amend as follows

"All persons actually engaged in Carrying out existing Contracts with the Confederate or State governments for Military purposes when presence and personal attention are necessary for that purpose"
which was lost.

Mr Coursey Moved to Amend as follows

"All bonded agricultural men except one keeper to be exempt from Conscription under the Conscription Laws"
which was adopted.

Mr Leeper moved to amend as follows

After "Clerk of Circuit Court" add "Register in Chancery"
which was lost.

Mr Grattan moved to amend as follows

"Also one Potter in each Beat"
which was lost.

Mr John G. Moore moved to amend as follows

"One Wagon Maker in each Beat"
which was adopted.

It was then Moved as an Amendment to the Amendment as Amended which

On motion of Mr Chambers, was laid on the table.

Mr McAlexander moved to amend as follows:

Be it further enacted, That any person who fails to Report in accordance with Orders or proclamation issued by the Governor without sufficient reason and excuse therefor, the sufficiency of which to be determined by a Court Martial, and upon Conviction, shall be retained in active Service for the period of twelve Months or suffer such other punishment as the Court may impose not exceeding the like or lesser.

which was laid on the table,

Mr Mannon moved to lay the bill on the table,

which Motion was lost,

Yeas 28
Nays 48.

Those who voted in the affirmative are Messrs Speaks, Armstrong, J. M. Akin, Ashmore, Bell, Brockman, Bush, Cobb, J. M. Davis, Dial, Grattan, Howell, Lupo, Lewis, Logan, Nelson, Norman, Merrick Mitchell, Jno. G. Moore, Morgan, McCall, McLemore, Nisbet, Scruggs, Sibley, Townsend and White—28

Those who voted in the Negative are Messrs Atkinson, Bennett, Bethea, Brooks, Bryan, Brown, Chandler, Clopton, Chadwick, Chisholm, Clark, Cobb, Coleman, Cooper, Cumming, M. L. Davis, Downs, Ellis, Fannin, Fooshe, Gardner, Gibson, Green, Greer, Hood, Hollis, Howard, Jones, Kenan, Kilpatrick, Lamar, Magee, May, Medwell, John Moore, McAlexander, McInnis, McLellan, Oglesby, Paul, C. A. Parker, Parsons, Price, Reed, Ray, Sims, Taylor, Vincent, Williamson and Wolff—40.

Mr Kilpatrick offered the following Amendment which was rejected

Provided Nothing in this act shall be construed to exempt persons the Sheriff, Constables and Coroners from Service who are under fifty years of age.

Mr Howard offered the following Amendment which was adopted

Provided Nothing in this act shall be construed so as to affect the Organization of existing Volunteer Companies whose Services have been accepted by the Governor of the State

Mr Mannon moved to postpone further Consideration of the Bill till 10 O'Clock to-morrow

which Motion was lost.

Mr Jackson moved to amend as follows which was lost;

"Provided That no person shall be kept in Service longer than 40 days in a period of three Months"

Mr Chapman moved to Strike out "17" and insert "16"

which Motion was lost

Yeas 19
Nays 54

Those who voted in the affirmative are Messrs Bethea, Bryan, Clayton, Clopton, Kenan, Fannin, Fooshe, Magee, McMillan, McAlexander, McInnis, Oglesby, Paul, Price, Reed, Taylor, Williamson and Wolff—19.

Those who voted in the Negative are Messrs Speaker, Armstrong, G. McArthur, Ashwell, Atkinson, Bell, Bevegan, Bishop, Brooks, Brooks, Bunt, Chambers, Chisholm, Clark, Cobb, Cooper, Coath, Cumming, J. M. Davis, M. L. Davis, Dent, Ellis, Gardiner, Gibson, Green, Grenfell, Green, Head, Hollis, Howard, Howell, Kilpatrick, Lowther, Lupton, Lewis, Lefroy, Malone, Marroyo, Merrick, Mitchell, Macdonell, Jno. Moore, Jno. G. Moore, Morrow, McCann, Nisbet, C. A. Parker, Parsons, Seager, Sims, Sykes, Townsend, Vincent and White — 52.

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Mr Bishop moved to Amend as follows:

"Provided That all preachers or Ministers of the Gospel who had the Pastorate of any Church on the 1st of April 1861, shall be exempt from Military Service"

Which on Motion of Mr Cooper, was laid on the table.

Mr McAlexander offered the following Amendment:

"Physicians above the age of 40 years who have been regularly engaged in the practice of Medicine for the public, for the last seven years"

Which, on Motion of Mr Cooper, was laid on the table.

Mr Morrow offered the following Amendment which was lost:

"And such other exemptions as in the opinion of the Governor, justice, equity and necessity may require, upon application made to him in writing and under Oath sustained by the testimony of two good and loyal Citizens"

Mr Lawder moved to suspend the Militia Bill in order to take up the "Judicial Districts County Bill"

Which Motion was Carried.

Mr Chambers moved that the House agree to its disagreement to the Senate Amendments

Which Motion was Carried.

A Committee of Conference was appointed Consisting of Messrs. Chambers, Sykes and Bethune.

The question then Recurred on Ordering the Militia Bill to a third Reading,

Mr Cumming moved to Amend as follows,

Amend the 1st Section of the bill by inserting after the word "Sheriffs" in the 12th line, the words,

"And County Commissioners"

Which on Motion of Mr Cyburn, was laid on the table.

Mr Cyburn's Motion was lost and the Amendment adopted,

Mr Price moved to strike out the words
"And of the Judicial Department" and insert the words,
"Judges of the Supreme, Circuit and District Courts and Chancellors"
which, on Motion of Mr C. A. Parker, was laid on the table.

Mr Groves moved to strike out the words "at one hour"
and insert "shall not be again called out except to meet another Call
or convene from another direction"
which, on Motion of Mr Oglesby, was laid on the table.

Mr McLeod offered the following Amendment - which was
lost;

"And also, excluding four practicing Physicians in each County
the being the oldest of such in their several Counties and exempt from Confid-
erate Service"

Mr Howell moved to Amend as follows which was lost:

"Provided further that said act shall not apply to the 1st, 2nd
and 3rd Congressional Districts of this State"

Bill was then Read a third time and passed.

Yeas 39
Nays 35-

Those who voted in the Affirmative are Messrs Atkinson, Bennett, Bettis, Brooks, Bryan,
Bush, Chambers, Chapman, Chisholm, Coleman, Cooper, Dawson, Fannin, Fowler, Gardner, Gibson, Green, Hood, Hooper,
Jasper, Mason, Mee, Medonell, Jno. Moore, Neville, McKinnon, McKenzie, McLellan, Oglesby,
Parish, C. A. Parker, Pearson, Price, Reed, Sims, Taylor, Williams and Wolff - 39
Those who voted in the Negative are Messrs Speaker, Armstrong, G. M. Axley, Acheson, Ball, Bedsole,
Brewer, Clarke, Clark, Cobb, Cobb, Cumming, M. S. Davis, Key, Ellis, Greathouse, Green,
Hall, Howard, Howell, Hoyle, Major, Manning, Martin, Mitchell, John G. Moore, Morgan, McCord,
McSwean, Nisbet, Seay, Sibley, Tannehill, Tipton and White - 35-

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Special Order was suspended, it being the Order to the Death
of Alabama Report of the Committee on Confederate Relations

Yeas 36
Nays 32

Those who voted in the Affirmative are Messrs Armstrong, G. M. Axley, Acheson, Ball, Brew-
der, Bush, Charlton, Clarke, Cobb, Cooper, M. S. Davis, Fannin, Gibson, Greathouse, Green, Hall, Hall,
Howard, Howell, Hoyle, Jasper, Major, Mitchell, Jno. G. Moore, Morgan, Moulton, McCord,
McSwean, Oglesby, Parson, Seay, Sibley, Speaker, Tannehill and Tipton - 36

Those who voted in the Negative are Messrs Atkinson, Bettis, Bedsole, Brooks,
Bryan, Chambers, Chapman, Coleman, Cobb, Cumming, Dawson, Ellis, Fannin, Gardner, Green,
Howell, Major, Manning, Martin, Mee, Medonell, Jno Moore, McClannahan, McKenzie, McLellan,
Nisbet, C. A. Parker, Price, Reed, Sibley, Taylor and Wolff - 32.

House Recedes from its Amendment to the Senate Bill

To Authorize the destruction of Coupons of State Bonds when Redeemed.

House Refuses to Concur in the Senate Amendment to the House Bill

To Amend an Act Relating to the Tennessee and Alabama Central Rail Road

House adhered to its Amendments and asked for a Committee of Conference on the Senate Bill

Messrs Price, Hannon and Gibbs appointed—

To grant and protect Appropriations for the support of Indigent families of Soldiers.

House insisted on its disagreement to the Senate Amendment to the Bill

To exempt Millers from Military Service in this State

House Concurred in the Senate Amendments to the "Whiskey" Bill

and to the Bill House Amendment to the Senate bill to equalize the Salaries of the Executive officers &c

Senate Bills

To provide Homesteads for the families of Alabama Soldiers and education of their Children

was Read twice and Referred to the Committee on Education.

Senate Bills

Amendatory of and Supplementary to an Act Relating to Clothing for Alabama Soldiers in Northern prisons.

To Repeal the Salt Commissioners to Mobile Quarterly Reports and to increase his Salary

To incorporate the Samaritan Society of the Methodist Episcopal Church.

For the Relief of William Ketchum

For the Relief of H. T. Gaines of Mobile

was Severally Read the first time passed and Ordered

For an Election for Mayor and Aldermen for the City of Huntsville

was Read twice.

Mr McClellan moved to Amend as follows which was adopted.

And that G. R. Peck A. B. McClung and J. A Johnson or any one of them hold an election for the same purpose in Athens Alabama, after giving Notice of ten days of such election.

Bill was Read a third time and passed.

Joint Resolution against Reconstruction with the Federal Government of the United States

was Read and Mr Sayles moved to Refer them to the Committee on Confederate Relations

which Motion was lost,

Yeas 15
Nays 24

Those who voted in the affirmative are Nays:

Those who voted in the Negative are Messrs

Messrs adjourned till 10 o Clock, to Morrow Morning.

House of Representatives
Tuesday December 13. 1864

House Met pursuant to adjournment

Prayer by Rev Mr

House Concurred in the Senate-Amendment to the House Bill

Making appropriations for the fiscal year ending
30th September, 1865.

Mr Bethune from Joint Select Committee to examine the
Office of Quarter Master General of the State, made the following Report:

The Joint Committee appointed under the following
Resolution—viz:

"Resolved, The Senate Concurring, that the Clerk Keeper appoint a
Committee of three from each House, with power to send for persons and pa-
pers, to examine into all the acts and doings of the Quarter Master General
since the last Annual Session; and also, what Changes, if any, are necessary,
to be made, and Report the result of such examination to their respective Houses;
beg leave respectfully to submit the following Report:

In Pursuance of the duties assigned this Committee by the
Account that he has received the Sum of $ during the period
of time Covered by the above Resolution and in further pursuance of his duty
vouchers for the said Sum, these vouchers show that the Quarter Master General
has disposed of the large Sums of Money placed in his hands, in accordance
with the purposes Contemplated by the Legislature, for your Committee have had
Neither time nor the opportunity to examine the "Acts and doings" of the various
Agents acting under said Quarter Master General and to whom a large portion
of these Sums of Money have been transferred. Such an examination Could
only be made during the Recess of the Legislature

The Committee have been engaged in this investigation
during all the time that Could be spared from the Sessions of the Legisla-
ture and have divided their examination, in the various branches of busi-
ness and duties now imposed upon the Quarter Master General.

All the Contracts Made by this officer have been Car-
fully examined and with one exception Meet the unanimous approval of
the Committee. The exception alluded to, is the Contract made with James S.
Sale in Relation to the Steam Schooner Fingal. This Contract does not meet the
Unanimous approval of the Committee, not because there is reasonable apprehend
pecuniary loss from it but because it is perhaps not in accordance with pub-
lic policy.

The Committee have suggested to the Quarter Master General
that he Should Keep a regular daily Cash book. This Much has approved and
will doubtless be observed in future.

Your Committee do not feel willing to close this Report without expressing their appreciation of the energy of the officers in charge of this Department and the neatness and order which pervades the books, papers & furnishings of the Offices

The Committee would recommend an increase of the pay of the Quarter Master General and his Clerk and that an additional Clerk be allowed. They would also recommend that an Ordnance officer be created and placed under the direction of the Quarter Master General.

They would recommend a Sale of all the useless Ordnance and Stores in this Department

W. H. Barnes
R. H. Erwin
R. F. Logan
Jacob Magee
L. E. Parsons
J. B. Bethea

Mr Coon recommended the Consideration of the Senate Joint Resolution authorizing Reconsideration,

The question being upon the passage thereof till the other Senate Messages are disposed of

which Motion was lost, the ayes & nays being,

[illegible]

[illegible]

Mr Coon recommended the Engrossment and Passage of

Mr Coon called for the ayes & nays upon the passage of the Resolution

Those who voted in the Affirmative are Messrs Alexander, G. W. Ashe, Atkinson, Bell, Brodie, Clarke, Cobb, Cooper, Mrs Davis, Faucette, Gaither, Gee, Hall, Hines, Holmes, Mercer, Merrimon, Mitchell, Jno G. Moore, McCain, McNeill, Mr Moore, Coleman Rogers, Sanderlin, Sawyer, Sherrill, Smith, Stanly, Tate, Thompson of Person - 28

Those who voted in the Negative are Messrs Speaker, Atkinson, Bethea, Brooks, Bryan, Chambers, Culpepper, Coleman, Cobb, Connerly, Craven, Davis, Dockery, Gardner, Green, Hall, Jones, Keenan, Kilpatrick, Mayo, Mitchell, Mc Donald, Joe Moore, McAlister, Nobel, C A Parker, Polk, Reed, Taylor, Tucker, Williams and Wolf - 32

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The Resolution was then adopted.

Mr Speed to recur in the Amendments of the Senate to the House Bill

To provide for any deficiency in the Treasury and for other purposes

Mr Chambers from the Committee of Conference on the

House Bill

To Make an appropiation for the support of the

Indigent families of Soldiers &c

Reported the recommendation of the Committee which was adopted.

House Concurred in the Amendment of the Senate to the House

Bill

To fix the pay of the Adjutant and Inspector General

Senate Bill

To regulate the Salaries of Certain officers and

Clerks in the Executive and other Departments

Was Read three times further acted and passed—

Senate Joint Resolution.

Transferring the duties of State Superintendent

of Education to the Office of Comptroller of Public Accounts

Was Read and indefinitely postponed.

Mr Cooper introduced a Resolution to bring on the E-

lection of State Superintendent of Education at 12 O'Clock to-day

which was adopted.

Mr Taylor from the Judiciary Committee. Reported favor-

bly with an Amendment to the Senate Bill

To authorize the Governor to Make a Settlement

with Joseph H. Bradford.

which Amendment was lost the Bill Read a third time and passed.

Senate Bills

To authorize D. A. Hill to draw funds due

Indigent families of Soldiers in Walker County

To provide for the Administration of the Fund

for the Indigent families of Soldiers in Richmond County

For the Relief of the estate of John Wilkerson

To Repeal An act to furnish Blanks to Jus-

tices of the Peace and other Counties

To authorize Wm Bush of Clark County to draw

funds due the Indigent families in said County

turing of fire arms and Sabres

Joint Resolution In Relation to the Contracts for the Manufac-

to Remove

On the Subject of the Organization of a battalion of Cava-

to Correct

For the Relief of Robert Beck Cadet Jon Collector for Seven-

the State

To Reduce the Amount of Public Printing hitherto done for

For the Relief of R. H. Northrup and William Kostch Administrators of the estate of John Kostch.

Were Severally Read three times forthwith and Passed.

Senate Bill

To Incorporate the Chemical, Manufacturing Medical Association of Alabama

was Read twice and Amended on Motion of Mr Chambers.

And then Read a third time and passed.

The "Militia" Bill with the Amendments of the Senate to the Amendments of the House was taken up.

On the motion to Strike out "17 and 50" and insert "16 and 53" the yeas and nays were

Yeas 15
Nays 54

Those who voted in the affirmative are Messrs Bell, Bethea, Brooks, Bryan, Chapman, Farmer, Keenan, Mays McKenzie, Parish, Price, Reed, Taylor, Williams and Wolff - 15

Those who voted in the negative are Messrs Speaker Armstrong, G. W. Ashe, Ashurst, Atkinson Beeman, Bishop, Brandon, Bush, Chelton, Chisholm, Clarke, Cobb, Coltart, Cummings, J. W. Davis, Mrs. Davis, Dowdell, Gordon, Gilmer, Green, Greathouse, Greene, Head, Hollis, Howard, Howell, Kilpatrick, Seeger, Melton, Menefee, Mitchell, Lee Moore, Jno G. Moore, Merrick, McClellan, McClure, McCrary, McInnis, McLeod, Coleman, Co., C. A. Parker, Parsons, Berry, Sims, Stikney, Stone, Taylor, Vaughan, Vincent, White and Wolff - 54

On the Amendment to Strike out the words "except Members and officers of the Legislature and Sheriffs" the yeas and nays were

Yeas 29
Nays 43

Those who voted in the affirmative are Messrs Bell, Bethea, Brooks, Bryan, Bush, Chapman, Chisholm, Coleman, Cummings, M. S. Davis, Dowdell, Farmer, Fraser, Greene, Head, Hollis, Keenan, Kilpatrick, Mays, Mitchell, Lee Moore, McAlexander, McInnis, Ogden, Parish, C. A. Parker, Price, Reed, Taylor, Williams and Wolff - 29

Those who voted in the negative are Messrs Speaker Armstrong, G. W. Ashe, Ashurst, Atkinson, Beeman, Bishop, Brandon, Chelton, Clarke, Cobb, Coltart, J. W. Davis, Gordon, Gilmer, Greathouse, Green, Howard, Howell, Kilpatrick, Seeger, Melton, Menefee, Merrick, Jno G. Moore, Morgan, McCrary, McInnis, McLeod, Parsons, Berry, Sims, Stikney, Stone, Vaughan, Vincent, White and Wolff - 43

House agreed to a Committee of Conference on the Bill

To exempt Millers from Military Service in the State

Mess Modowell, Barnes and Cumming were appointed Said Committee.

Message from the Senate by Mr Morgan Asst Secretary.

Senate Dec 13. 1864

Mr Speaker.

The Senate recedes from its disagreement to the House amendment to the Senate Bill

To guard and protect the appropriations Made by the General Assembly for the Support of Indigent families of Soldiers

And Concurs in the House Resolution proposing to elect the trustees of the State University and State Superintendent of Education today, at 12 M.

At 12 O'Clock, the Senate, upon invitation, appeared in the Hall of the House when the two Houses in Joint Convention, proceeded to the election Set for that hour.

Messrs John B. Taylor, W. R. R. Wyatt and V. K. Vaughan were put in Nomination for State Superintendent of Education.

Those who voted for Mr Taylor were Messrs Presidents, Barnes, Cate, Clarke, Coleman, Davis Erwin, Green, Hardwick, Hill, Jackson, McCall, Peacock, Reavis and Wood of the Senate, Mess Speaker, Atkins, Bell, Bennett, Bethea, Brooks, Brown, Bush, Chambers, Chapman, Cummings, Chisholm, McInnis, Dawson, Flannin, Foster, Gardner, Gibson, Greathouse, Hollis, Kenan, Kilpatrick, Lowe, Manness, May, Mitchell, Modowell, J. L. Moore, McAlexander, McInnis, Nisbet, C. A. Parker, Parish, Price, Read, Taylor, Towle, and Williams of the House — 53.

Those who voted for Mr Wyatt were Messrs Bulger & Garrett, of the Senate, and Messrs Armstrong, G. McAfee, Ashcraft, Charlton, Cooper, Cobb, Cobb, Clarke, Head, Howard, Howell, Leeper, Logan, McCain, Malone, Orr, Parson, Scruggs, Seay, Sims, Sibley, and Watts of the House — 24

Those who voted for Mr Vaughan were Messrs Harrison, Logan, Moore, Payne, Powell and S. F. Rice of the Senate, and Messrs Bishop, Brewer, Bryan, Coleman, J. M. Davis, Dent, Groves, Grimes, John Moore, Morrow, Osborne, Sykes, Vansandt, Vincent and Wolff of the House — 21

Mr Taylor having received a Majority of all the votes Cast, Mr Speaker declared him duly and Constitutionally elected State Superintendent of Education for the term provided by Law.

Mr Cooper moved that the Convention adjourn for ten Minutes

which Motion was Lost.

Trustee of the State University for the 3rd Judicial Circuit.

Mr R. R. Healy having received all the votes cast (74) Mr Speaker declared him duly and Constitutionally elected Trustee of the State University for the 3rd Judicial Circuit for the term prescribed by law.

Trustee of the State University for the 4th Judicial Circuit.

Mr J. W. S. Connell having received all the votes cast (74) Mr Speaker declared him duly and Constitutionally elected Trustee of the State University for the 4th Judicial Circuit for the term prescribed by law.

Trustee of the State University for the 5th Judicial Circuit.

Mr A. N. Gibson having received all the votes cast (74) Mr. Speaker declared him duly and Constitutionally elected Trustee of the State University for the 5th Judicial Circuit for the term prescribed by Law.

The Senate then withdrew to its Chamber.

House Rescinded the Resolution to adjourn Sine die at 1½ P. M.

Mr Pearson to amend so as to adjourn at 4 P. M.
Mr Foster moved to do so to adjourn at 10 P. M.

Mr Egbert moved 9¾ P. M.

Mr Foster's Motion was lost and Mr Egbert's Motion adopted.

Message from the Senate by Mr. Morgan Asst Secretary

Senate Dec 13. 1864

Mr. Speaker

The Senate adheres to its Amendment to the House Bill

To exempt Millers from Military Service in this State.

and asks for a Committee of Conference

Messrs Hardwick, Rice of M. and Barnes on the Senate Committee.

The Senate Concurs in the Resolution of the House Rescinding the Resolution proposing to adjourn Sine die at 1½ P. M. today and to adjourn at 9¾ P. M.

The Secretary originated and passed the following Bills:

To Compensate the officers of the Courts Martial Department of the State of Alabama

To Compensate the Comptroller for his Annual Services and for other purposes

To pay A. Savard for Services rendered to the Joint Committee to examine the Penitentiary office.

To Create an Ordinance Office and for other purposes

and passed the following House Bill.

To incorporate the Pioneer Express Company and Amendatory thereto and passed House Bill

To provide for any deficiency in the Treasury and for other purposes

Senate agrees to the Report of the Conference Committee on the Bills

Making an appropriation for the support of the Indigent families of Soldiers from the State of Alabama.

To exempt Millers from Military Service in this State

Message from the Governor by J. H. Jenkins Private Secretary

Mr Speaker,

His excellency, the Governor has approved the Bills which originated in the House of Representatives of the following titles;

An Act to Incorporate "The Orphans Home Association of the Baptists of Alabama"

An Act To Compensate Beat Agents &c in the County of Kale

An Act for the Relief of R. H. Frazer deceased, of Barbour County

An Act to regulate the fees of the Judge of Probate of Talladega County

An Act to change the name of the "Montgomery Episcopal Female Orphan Asylum" Situated in the City of Montgomery

An Act to authorize Septha Sears to draw the funds due the County of Forsyth and M. L. Davis, for the County of Marion, from the Indigent fund due said Counties

An Act to Consolidate Certain Causes of the County of Chambers and other Counties hereinmentioned, to increase the Compensation of the County Treasurer

An Act to authorize the Judge of Probate of Henry County to sell Certain School Lands

An Act to suspend Section No. 769, 770 and 771 of the Code so far as the County of Jefferson is Concerned.

An Act to Incorporate "The Orphans Home of the Synod of Alabama"

An Act to provide for the exchange of Certificates for Town-

ship Notes.

An Act to repeal Section 35 of the Code of 1852.

purposes.

An Act for the Relief of Burwell Johnston, late Sheriff of

Perry County

An Joint Resolution raising a Committee to examine the Constitu-

tion of the State Salt Works.

An Act for the protection of the Citizens of Marion County

An Act for the Relief of Urban A. Chandler of Cherokee County

An Act to Amend "An act to aid in arresting deserters and

stragglers and for the Army" approved Oct. 7th 1864

An Act for the protection of the Citizens of Alabama.

An Act to increase the pay of Jurors and Doorkeepers in Marengo

and other Counties

An Act to incorporate the Protestant Episcopal Church of the

Diocese of Alabama and to enable said Church to provide for the orphans and widows

of Soldiers and other destitute persons

An Act to Incorporate "The Selma Savings Company"

An Act in relation to the support of Indigent Families

of Soldiers in Marion County

Also returned to the House of Representatives with their

original bill with the approval of the Governor and with his objections thereto a Bill

to be entitled An act

To amend the Charter of the City of Mobile.

Mr. Moore from the Committee on Enrolled Bills reported the following

as correctly enrolled

An Act to regulate the fees of the Judge of Probate of Talla-

dega County

An Act to authorize the Commissioners Court of Chambers and

other Counties therein named to increase the Compensation of County Treasurers

An Act to suspend Sections 768. 769. 770 and 771 of the Code

in so far as the County of Jefferson is concerned.

An Act to repeal Section 3581 of the Code of Alabama in so

far as the County of Jefferson

An Act for the Relief of Burrell Johnston late Tax Collector of Perry County

Joint Resolution Relative to a Committee to examine into the Condition of the State Jail Works

An Act for the protection of the Citizens of Marion County

An Act for the Relief of Wilson A. Chandler of Cherokee County

An Act to Compensate Bent Agnew in the County of Mobile

An Act to provide for the exchange of Confederate States Treasury Notes

An Act to authorize Josepha Seay to draw the funds due the County of Fayette, and M. L. Davis, for the County of Marion, from the Indigent fund due said Counties

An Act to change the name of the Montgomery Episcopal Female Orphan Asylum situated in Montgomery

An Act to authorize the Judge of Probate of Henry County to sell certain School Lands in said County

An Act for the protection of the Citizens of Alabama

An Act to amend An act to aid in arresting deserters and Stragglers from the Army approved Oct. 7, 1864

An Act for the Relief of Francis M. Williams and Elizabeth Prescott, of Jefferson County.

An Act to increase the pay of Jurors and Witnesses in Marengo and other Counties

An Act to incorporate the Protestant Episcopal Church of the Diocese of Alabama and to enable said Church to provide for the Orphans and widows of deceased Soldiers and other destitute persons

An Act to incorporate the Orphan Home Association of the Baptists of Alabama

An act to regulate the administration of the estate of Wm. J. Scott from the County of Greene to Perry County

An act for the Relief of Sheriffs

An Act to authorize Commissioners of the Circuit Courts to grant exemptions

An act to amend Section 1013 of the Code of Alabama in certain Counties

An Act to amend the City Charter of Montgomery

An act to amend the Charter of the California Home Insurance Company

An Act to authorize certain persons therein named to draw certain funds due them as pensioners for the support of Indigent families of Soldiers

An Act to amend Section 1942 of the Code of Alabama

An Act to authorize the Probate Judge of Sumter County to Sell certain School Lands

An Act for the removal of the Administration of the estate of Jordan R. Smith of Pike to Coffee County

An Act for the benefit of the widow and Children of James Morgan, deceased

An Act for the Relief of Jeremiah Fail

An Act to Regulate the Treasury Expenditures

An Act to amend the Charter of the City of Selma

An Act to transfer the Chancery districts Composed of the Counties of Monroe and Clarke, from the Southern to the Middle Chancery Division

An Act to authorize the Circuit Court of Kale County to elect a Major

An act for the Relief of Executors Administrators and Guardians,

An Act to Make Appropriations for the fiscal year ending 30th September, 1865

Senate Bills

To extend the provisions of An Act to Continue the Office of Commissioner and Trustee of the State Bank and Branches

To incorporate St. James Church School of Livingston Sumter County

To authorize the Removal of the estate of Nathl. R. Rand deceased from Dallas to Wilcox County

(Joint Resolutions In Relation to the Contract between the State of Alabama and the Alabama Iron Manufacturing Company for the Manufacture of Iron and for the

To increase the fees of Certain Officers therein named in Clarke County

Joint Resolution For the purchase of Stationery and fuel

To provide for furnishing Clothing and other necessaries to Alabama Soldiers who are prisoners on Ship Island

was Severally Read three times passed and refused—

Mr Medaville from the Committee of Conference on the House Bill

To exempt Millers from Military Service in this State

Made a Report which was Concurred in.

Mr Parsons from the Judiciary Committee, Reported favorably to the Bill

To increase the fees of Sheriffs and Clerks of the Circuit Courts in Civil Cases

Mr Clark moved to amend by way of Congress Road so as to include "Register in Chancery"

which was read three times and adopted.

Bill as then Read a third time and passed.

Senate Bill

To change the time for holding the Circuit Courts for the 10th Judicial Circuit of Alabama

was Read twice and on Motion of Mr G. M. Arthur, laid on the table

To authorize the Superintendent of the Alabama Insane Hospital to distill Alcohol

was Read twice.

Mr Lewis moved to amend by inserting "Coal and Wood"

Mr Chisolm moved to lay the bill and Amendment on the table.

A division of the question being called for, the question was first taken on laying the Amendment on the table which Motion was lost.

Bill was then Read a third time and passed.

Mr Parson from th Judiciary Committe Reported favorably to the Bill

For the Relief of the Wells Valley Rail Road Company

which bill was Read a third time and Passed.

Mr Lawler from the Committe of Conference on the House Bill

To provide for any deficiency in the Treasury and for other purposes

reported certain Amendments which were Concurred in.

Mr Chambers offered the following Resolution

Resolved

That the Report of the Conference Committe upon the subject of increasing the Taxes, be referred to the Committe on Ways and Means, with instructions to Report a bill as Soon as practicable in accordance with the recommendations of Said Report.

Mr Coleman moved to Amend by adding as follows

"Or that Men in their discretion Secure best, to Amend the Whiskey bill by striking out "Cent and Inserting"

Mr C. A. Parker moved to lay Said Amendment on the table

Mr Cooper in the Chair, ruled Said Amendment out of order

Mr Chambers Resolution was adopted

Mr Gardner from the Committe on Ways and Means, Reported favorably to the Bill

To allow certain persons therein named to peddle in this State

which Bill was Read a third time and Passed

Senate Bill

To Compensate Mrs A. Welch for Services rendered the State in transporting Supplies to Alabama Soldiers in the Confederate Army.

was Read twice and Referred to the Committe on Ways and Means

At 1 O'Clock

House stood adjourned till 3½ P. M.

Afternoon Session.

House met pursuant to adjournment.

Mr Lawler from the Committee on Ways and Means, Reported a Bill

Entitled to Amend the Revenue Laws of this State

which was Read three times forthwith and Passed.

Yeas 46
Nays 5

Those who voted in the Affirmative are, Messrs Sprole, Augustine, G. M. Ashe, Ashmead, Atkinson, Bettes, Brandon, Brooks, Buck, Chandler, Chapman, Christian, Clark, Cobb, Cooper, M. P. Davis, Dawson, Dent, Francis, Gardner, Gibson, Hamilton of Rud, Howard, Lamar, Hamm, Ligon, May, Mitchell, John Moon, Jacob Moon, Morrow, Nisbet, Osborne, Orr, Parish, Parsons, Price, Scruggs, Sibley, Sayles, Taylor, Tucker, White and Wolff—46

Those who voted in the Negative are, Messrs Chastain, Coleman, Cumming, Green, Hollis, Merrick, McCain and Vansandt—8.

Message from the Senate by Mr Paul Secretary

Senate Chamber 12. 1864

Mr Speaker,

I am directed to inform the House of Representatives that the Senate has passed the following Bills and Resolutions, to which they ask the concurrence of the House of Representatives.

An act to amend the Act to provide for raising a revenue for the State

An act to provide for paying the Militia of this State

An act to provide for the Relief of Soldiers families

An act to provide for the Relief of Refugees

An act to provide for the defence of the State

An act to provide for the defence of the State

The Senate insists on its Amendment to the House Substitute to the Senate Bill

To provide for the defence of the State

Mr Morrow from the Committee on Enrolled Bills, Reported the following as correctly enrolled

An act to authorize A. McKenzie of Walker County to Rent Certain Lands therein named

An Act to pay for Services rendered during the present System of the Penal Affairs

An Act for the Relief of Indigent families of Soldiers

An act for the Relief of John Clark

An act for the Relief of Morgan Guthrie

An Act declaring what officers of this State are not liable to Conscription

An Act to Amend the Revenue Laws of this State

An act to authorize the Governor to Rescind Contracts therein named

An act conferring jurisdiction upon the Judge of Probate of Cherokee County

An Act for the preservation of Cattle in Washington County

An Act to incorporate the Talladega Sulphur Springs Company.

An Act to Regulate the fees of the Circuit Probate Clerk of Circuit Court, Sheriff and Members of Commissioners Court of Washington County; of this State.

An Act to fix the pay of the Adjutant and Inspector General

Senate Bill

To authorize the Governor to establish the Manufacture of Cotton and Wool Cards, in the State Penitentiary.

Was Read twice and ordered to a third Reading

Mr Bethea asked for a Committee on the Bill

To provide for the defence of the State

No quorum was present

House adjourned till 8 P.M.

Night Session.

House met pursuant to adjournment.

On motion of Mr McAlexander, a Committee of three was appointed to wait on the Committee of the Senate to wait upon the Governor to inform him that the two Houses having finished their business, were now ready to adjourn Sine die, if he had no further Communication to make.

Mess McAlexander, Bethea & Mason Constituted said Committee.

Mr Clarke offered the following Resolutions which was unanimously adopted.

Resolved,

That the Cordial thanks of Members are due and respectfully tendered the Speaker of the House, the Hon. W. H. Crenshaw, for the distinguished courtesy, uniform urbanity and Marked impartiality which has characterized his bearing during the deliberations of this body

2nd - Also, to the officers of the House for the faithful Manner in which, they have performed their duties.

Mr McAlexander from the Joint Committee to wait upon the Governor, Reported that the Committee had discharged their duty and that the Governor informed them that he had a few more bills to examine when he would Communicate his last Message to the House of Representatives

House took an informal Recess.

In a short time, the House was Called to order by the Speaker.

Message from the Governor by J. H. Seidell Private Secretary,

Mr Speaker

His Excellency, the Governor has approved the Bills which originated in the House of Representatives, of the following titles

An Act to authorize Certain persons therein named to draw Pension funds due their respective Counties for the Support of the Indigent families of Soldiers

An Act to Amend the Charter of the City of Selma

An Act for the Relief of Thomas B. Smith of Marion County

An Act to authorize Commissioners of the Circuit Militia, to grant exemptions.

An Act for the Relief of Sheriffs

An Act to pay for Servants hire during the present Session of the General Assembly

An Act for the Relief of Indigent families of Soldiers

An Act for the Relief of John Crook

An Act declaring what Officers of this State are not liable to Conscription

An Act defining jurisdiction upon the Inland Waters of Perdido Point

An Act to amend the Revenue Laws of this State.

An Act to authorize the Governor to Rescind certain Contracts

thereinmentioned

An Act to amend the Charter of the Empire Home Insurance

Company

An Act for the Relief of Jeremiah Hall

An Act to make appropriations for the Fiscal year ending

30th September 1865.

An Act to repeal Section 1013 of the Code of Alabama in

Certain Counties

An Act to amend the City Charter of Montgomery

An Act to authorize the Probate Judge of Dallas County to

Sell Certain School Lands

An Act to Regulate the Treasury Department

An Act to amend Section 1942 of the Code of Alabama

An Act to authorize the County Revenue of Pike County to elect

a Major

An Act to transfer the Chancery Districts, Counties of the

Counties of Monroe and Clarke from the Southern to the Middle Chancery Division

An Act for the Relief of Executors, Administrators and Guardians.

An Act to Regulate the fees of the Judge of Probate, Clerk of the Circuit Court, Sheriff and Members of the Commissioners Court of Washington County

An Act to incorporate the Talladega Sulphur Springs Company

An Act for the permanent Location of Washington County

An Act to fix the pay of the Adjutant and Inspector General

of Alabama

An Act to exempt Millers from Military Service in this

State

An Act further to amend the Revenue Laws of this State.

An Act to authorize the Probate Judges to appoint General

Guardians for Certain Respective Counties

An Act to Regulate the distribution of Intestate and Absent Soldiers

An Act making an appropriation for the support of the Indigent families of Soldiers in the Military Service from the State of Alabama

An Act for the Relief of Tax Collectors in this State

An Act to provide for any deficiency in the Treasury and for other purposes

An Act to incorporate the Pioneer Express Company

At a few minutes past 9 O'Clock, Mr Speaker Cruzen arose and addressed the House as follows:

Gentlemen of the House of Representatives:

It is pleasant for friends to meet: but when the hour of Separation is at hand, the heart grows sad. Sixteen Months ago, we assembled in this Hall mostly Strangers to each other. Since that time, we have passed many hours of pleasant intercourse together. New attachments have been formed and lasting ties have Sprung into existence which will bind the affections many years to come. In the excitement of debate, ebullitions of ill feeling may have been manifested by some, but doubtless this has all passed away and been forgotten. And I Congratulate You, gentlemen, upon the Universal harmony that has prevailed in our deliberations. How Sad then to Contemplate the fact, that we will all of us never again Meet together. This reflection Should Soften the Most obdurate heart into a kind regard for all.

Your Legislative Career has been surrounded with Many difficulties. Grim visaged War with its attendant evils has been sweeping over the Land for four years. Carrying desolation in its terrible March. You have not been able to relieve Your bleeding Country from its heavy afflictions. You have not been able to dry up the fountains of tears, and restore to the distressed wife and her helpless babe their noble protector who has fallen in battle while defending You and Yours from the invasion of the enemy. But you have done much to alleviate Some of the acute Suffering of Your Country. You have Manifested the bestowed upon the Soldier's family, the Means of procuring food and raiment to Shield them from hunger and Cold. You have enabled the patriotic Soldier to look back and See that the Loved wife of his bosom and his dear little ones had found a protector in their Country; that they were not turned out upon the Cold Charity of the world to starve while he was serving his Country. Thus assured he will March on with renewed energy to win the glorious prize of Independence.

Peace has not yet dawned; but may we not include the pleasing anticipation that our Independence will be acknowledged in the distant day, when prosperity and happiness will once More return to our distracted Country. Are then any dispirited and faint hearted? Let them take Courage in the fact that our prospects for Success are now brighter than at any time for the last three years past. While our armies are Marching on to new fields of victory, let us not detract from their ardor by exhibiting disconsolate at the further prosecution of the war for Independence.

In Conclusion, gentlemen, permit me to tender to you my unfeigned thanks for the very flattering Manner in which you have been pleased to speak of my Course of Conduct, of my services as your Presiding officer. Having been